

EXECUTIVE COMMITTEE

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2002

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JANUARY 2002

**MINUTES
EXECUTIVE COMMITTEE MEETING
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
JANUARY 16, 2002**

MEMBERS PRESENT:

Freda M. Bush, M.D., Jackson, President
Dewitt G. Crawford, M.D., Louisville, Secretary
W. Joseph Burnett, M.D., Director

ALSO PRESENT:

Charles Moses, Division Director II, Investigative Division
Rhonda Freeman, Division Director II, Licensure Division
Kathy Fortenberry, Administrative Assistant

The Executive Committee of the Mississippi State Board of Medical Licensure met on Wednesday, January 16, 2002, at 5:15 p.m. in the Executive Conference Room of the Office of the Board located at 1867 Crane Ridge Drive, Jackson, Mississippi. Robert Ray Smith, M.D., Jackson, Vice President, was not present.

**HAROLD HENRY BATSON, M.D., JACKSON, MISSISSIPPI MEDICAL LICENSE
NUMBER 16634**

Dr. Batson was not present. Dr. Burnett advised that Dr. Batson had been asked to appear before the Executive Committee regarding his October 2000 plea of guilty in the Circuit Court of Hinds County and his failure to acknowledge this in the questions on his renewal application. The green card showing receipt of his certified letter had not been returned to the Board; therefore, it was assumed that Dr. Batson had not received the letter. Dr. Batson will be asked to appear at the February 20 Executive Committee meeting.

**APPROVAL OF AGREED ORDER NOT TO PRACTICE OR RENEW LICENSE
EXECUTED BY WALTER OCAMPO ANDERSON, M.D., CHUNKY, MISSISSIPPI
MEDICAL LICENSE NUMBER 14399**

Dr. Anderson was not present or represented by legal counsel. Dr. Burnett briefly reviewed the Agreed Order Not to Practice or Renew License executed by Dr. Anderson. Motion was made by Dr. Bush and seconded by Dr. Crawford to accept the Order, a copy of which is attached hereto and incorporated by reference.

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**REQUEST FROM CHARLES OLIVER STANBACK, M.D., COLUMBUS, MISSISSIPPI
MEDICAL LICENSE NUMBER 04866**

Dr. Burnett presented a request from Dr. Stanback asking that the Board reconsider their previous Order to allow him to possibly get his DEA privileges restored. It was the consensus of the Executive Committee members that the situation is now in the hands of DEA. Dr. Burnett will advise Dr. Stanback of this decision.

**DETERMINATION OF REASONABLE CAUSE AND AUTHORITY TO INSPECT AND
COPY RECORDS OF JOHN PHILIP MLADINEO, M.D., JACKSON**

In order for the Investigative Division to obtain records, the Executive Committee members reviewed an affidavit in support of a request for the inspection and copying of certain hospital records pursuant to Miss Code Ann. Section 73-25-28. Upon review of the affidavit and considering all matters, it was the finding of the Committee that reasonable cause existed to conduct the inspection, whereupon members of the Committee executed a Determination of Reasonable Cause and Authority to Inspect and Copy Records of John Philip Mladineo, M.D., Jackson.

**DETERMINATION OF REASONABLE CAUSE AND AUTHORITY TO INSPECT AND
COPY RECORDS OF ROBIN LIAO YUE, M.D., MCCOMB**

In order for the Investigative Division to obtain records, the Executive Committee members reviewed an affidavit in support of a request for the inspection and copying of certain hospital records pursuant to Miss Code Ann. Section 73-25-28. Upon review of the affidavit and considering all matters, it was the finding of the Committee that reasonable cause existed to conduct the inspection, whereupon members of the Committee executed a Determination of Reasonable Cause and Authority to Inspect and Copy Records of Robin Liao Yue, M.D., McComb.

**CLARIFICATION FROM MISSISSIPPI STATE MEDICAL ASSOCIATION REGARDING
NURSE PRACTITIONER REGULATIONS**

Dr. Burnett reviewed correspondence from Bill Roberts, Director, Mississippi State Medical Association, regarding Nurse Practitioner regulations. Mr. Roberts was asking that the Board (1) identify every physician who has signed a protocol; (2) maintain a current copy of that protocol in the individual licensee file; (3) make

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site visits at least annually to those physicians whose Nurse Practitioners are off site to ensure that the appropriate amount of collaboration exist; and (4) make random site visits to the physicians who have Nurse Practitioners on site to check on collaborative activities. Dr. Burnett and Mr. Moses reported that the Board may contract with a Nurse Practitioner to do the monitoring.

PROPOSED AMENDMENTS TO RULES AND REGULATIONS GOVERNING THE SUPERVISION OF NURSE PRACTITIONERS

The proposed amendments to the Rules and Regulations Governing the Supervision of Nurse Practitioners were briefly reviewed. These will be forwarded to all Board members for their review and will be presented at the February Board meeting for adoption.

PROPOSED AMENDMENTS TO OFFICE BASED SURGERY REGULATIONS

The proposed amendments to the Office Based Surgery Regulations were briefly reviewed. These will be forwarded to all Board members for their review and will be presented at the February Board meeting for adoption.

CME REGULATIONS

Dr. Burnett and Mrs. Freeman advised that this would be the first year to have the question on the annual renewal form regarding the CME requirement and asked for directions on how to handle if a physician answered that he or she had not obtained the 40 hours. It was the consensus of the Executive Committee members that the license should not be renewed if the required hours have not been obtained.

SUPERVISION OF CRNAS

Dr. Burnett reviewed correspondence from Stan Ingram, Board Attorney, regarding a new federal regulation pertaining to the supervision of CRNAs. Under the new regulation, the Governor could make a decision to permit unsupervised practice of CRNAs. Dr. Burnett will follow up on this.

COLLECTION OF DNA VIA ORAL SWABS

For informational purposes only, Dr. Burnett reviewed correspondence questioning whether or not a license was required for the collection of DNA via

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oral swabs. His answer had been that a license was not required to collect a swab but that the interpretation and disposition would in his opinion require a medical license.

DR. BURNETT ON LEAVE - MARCH 7-19, 2002

Dr. Burnett advised that he would be on personal leave from March 7 through March 19, 2002.

ADMINISTRATORS IN MEDICINE AND FEDERATION OF STATE MEDICAL BOARDS ANNUAL MEETINGS - APRIL 23-28, 2002, SAN DIEGO, CALIFORNIA

Motion was made by Dr. Crawford and seconded by Dr. Bush for the following staff members to attend the AIM and Federation meetings, April 23-28, 2002, in San Diego, California: Dr. Burnett, Mrs. Fortenberry, Mrs. Freeman, and Mr. Moses. Dr. Bush and Dr. Crawford will also be attending the Federation meeting, as well as two other Board members. The Board will be polled at the February meeting to see who would be interested in attending.

OTHER BUSINESS

Jerry R. Adkins, M.D., Biloxi, had requested Dr. Burnett to write Attorney General Mike Moore on his behalf concerning pending legal charges. It was the consensus of the Executive Committee members that Dr. Burnett should not write the requested letter of support.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:45 p.m.



Freda M. Bush, M.D.
President

Minutes taken and transcribed
by Kathy Fortenberry
Administrative Assistant
January 16, 2002

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE

OF

WALTER O. ANDERSON, M.D.

AGREED ORDER NOT TO PRACTICE OR RENEW LICENSE

WHEREAS, I, Walter O. Anderson, M.D., hereinafter "Licensee," is the holder of License No. 14399 to practice medicine in the State of Mississippi, said license having lapsed on June 30, 2001;

WHEREAS, disciplinary charges are now pending before the Mississippi State Board of Medical Licensure, hereinafter "Board," pursuant to that certain Summons and Affidavit issued October 12, 1999;

WHEREAS, the aforementioned charges were placed in abeyance by order of the Board on January 20, 2000, pending resolution of certain civil restitution charges against Licensee before the Circuit Court of Hinds County in Civil Action No. 251-01-958 CIV, styled, "*State of Mississippi, Ex Rel, Mike Moore, Attorney General v. Walter Ocampo Anderson and Walter P. Anderson, Jr.*";

WHEREAS, on September 10, 2001, Licensee entered into an Agreed Order with the State of Mississippi in the aforementioned civil action. By virtue of said Order, Licensee, while not acknowledging or admitting any wrongful act or violation of law, agreed to pay the State of Mississippi designated sums as civil penalty for restitution and reimbursement for investigative costs payable to the Medicaid and Fraud Control Unit of the Attorney General's Office. Furthermore, by virtue of said Order, Licensee agreed not

to practice medicine in the State of Mississippi and agreed not to renew said license at such time as said license came up for renewal.

WHEREAS, it is the desire of Licensee to resolve all pending matters before the Board, and in so doing, has agreed not to practice medicine in the State of Mississippi and thereafter permitted his Mississippi medical license (No. 14399) to lapse.

NOW THEREFORE, Licensee, with approval of the Mississippi State Board of Medical Licensure, as signified by its joinder herein, does hereby agree to the following terms and conditions:

1. Licensee agrees not to practice medicine, in any form or manner, directly or indirectly, in the State of Mississippi, and agrees not to renew said license (No. 14399) at such time as said license comes up for renewal.
2. Pursuant to Miss. Code Ann. Section 73-25-30; Licensee is hereby assessed \$3,000.00 to offset the costs of the investigation and pending disciplinary action. Licensee must have a certified check or money order made payable to the Mississippi State Board of Medical Licensure on or before forty (40) days from the date of receipt of this Consent Order.

FURTHER, Licensee further agrees that he will not at any time in the future exercise or attempt to exercise his right pursuant to law to seek reinstatement of his license or make application for a new license in the State of Mississippi.

I understand that this agreement is a public record and will be a reportable disciplinary action.

EXECUTED this the 10th day of December, 2001.

Walter O. Anderson M.D.
WALTER O. ANDERSON, M.D.

ACCEPTED, this the 16th day of ^{January} ~~December~~, 2001

MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE

Freda M. Bush M.D.
FREDA M. BUSH, M.D., PRESIDENT

JANUARY 2002

**EXECUTIVE COMMITTEE
MEETING ONLY**

FEBRUARY 2002

**MINUTES
EXECUTIVE COMMITTEE MEETING
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
FEBRUARY 20 AND 21, 2002**

MEMBERS PRESENT:

Dewitt G. Crawford, M.D., Louisville, Secretary
W. Joseph Burnett, M.D., Director

ALSO PRESENT:

Charles Moses, Division Director II, Investigative Division
Rhonda Freeman, Division Director II, Licensure Division
Kathy Fortenberry, Administrative Assistant

NOT PRESENT:

Freda M. Bush, M.D., Jackson, President
Robert Ray Smith, M.D., Jackson, Vice President

The Executive Committee of the Mississippi State Board of Medical Licensure met on Wednesday, February 20, 2002, at 4:00 p.m. in the Executive Conference Room of the Office of the Board located at 1867 Crane Ridge Drive, Jackson, Mississippi. Because there was not a quorum of the members, the meeting was postponed until the next morning prior to the Board meeting.

The Executive Committee met on Thursday, February 21, 2002, at 8:15 a.m. Those present were Dr. Bush, Dr. Crawford, Dr. Burnett, Mr. Moses, Mrs. Freeman, Mrs. Fortenberry, and Frances Scott, Special Projects Officer, Investigative Division. Dr. Smith was not present.

MRPP # 0077

Dr. Burnett reported that he had been concerned about this physician's compliance with his MRPP contact, his failure to provide a work schedule, not seeing his psychiatrist on a quarterly basis as required by the contract, and that the Board has been unable to get mail to him. Dr. Burnett and Mr. Moses have met with him, and Dr. Burnett feels the physician now understands what is expected of him.

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GEORGE D. ENGLAND, M.D., GRAND RAPIDS, MICHIGAN, MISSISSIPPI MEDICAL LICENSE NUMBER 11824

Dr. Burnett advised that Dr. England has a history of disruptive behavior and action has been taken by other states. Since Dr. England is not practicing in the state, Dr. Burnett does not think it is necessary to mirror the action of the other states but has written him a letter that it will be necessary for him to notify the Board at least 30 days in advance if he should relocate to the state.

FEDERATION OF STATE MEDICAL BOARDS ANNUAL MEETING

Dr. Burnett asked Dr. Bush to poll the full Board to see who, in addition to herself and Dr. Crawford, would like to attend the Federation of State Medical Boards Annual Meeting in San Diego.

NON-RESIDENT PHYSICIANS

Dr. Burnett advised of some problems with §73-25-19, which allows non-resident physicians to come into the state for five days. There is a loophole in the statute in that it does not define how many times a non-resident physician can come into the state under this law, i.e., work for five days, leave the state for a week, and return for five more days. Mrs. Freeman was asked to develop a regulation to coincide with the Board's statute for the Executive Committee to consider at the April meeting.

RADIOLOGISTS DIRECTLY ORDERING A PROCEDURE

Dr. Burnett reported on some incidents of radiologists directly ordering a procedure without a physical or record on the patient. Information was provided to the Executive Committee members on CATscan 2000, a mobile unit out of Florida which is coming into the state and performing tests as requested by the patients. Dr. Burnett was asked to talk with Robert W. Goff, Director, Division of Radiological Health, Mississippi State Department of Health, to find out what authority they have about mobile units.

DR. SMITH JOINED THE MEETING AT 8:45 A.M.

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OTHER BUSINESS

During the discussion of radiologists directly ordering a procedure, it was discovered that diagnosis was not included in §73-25-33, **Practice of medicine defined**. The Executive Committee members asked that Dr. Burnett have Stan Ingram, Board Attorney, work on some legislation that would include diagnosis.

Mrs. Freeman distributed copies of the 2002-2003 Application for Renewal of Mississippi License. Motion was made by Dr. Crawford and seconded by Dr. Smith to approve the form.

Dr. Burnett reviewed information that would allow the Board agendas to be distributed to members on a recordable CD. This will be presented to the full Board for their feedback.

REVIEW OF FEBRUARY 21 BOARD MEETING

Dr. Burnett briefly reviewed today's Board agenda.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:00 a.m.



Freda M. Bush, M.D.
President

Minutes taken and transcribed
by Kathy Fortenberry
Administrative Assistant
February 20 and 21, 2002

**BOARD MINUTES
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
FEBRUARY 21, 2002**

The regularly scheduled meeting of the Mississippi State Board of Medical Licensure was held on Thursday, February 21, 2002, in the Executive Conference Room of the Office of the Board located at 1867 Crane Ridge Drive, Jackson, Mississippi.

The following members were present:

Freda M. Bush, M.D., Jackson, President
Robert Ray Smith, M.D., Jackson, Vice President
Dewitt G. Crawford, M.D., Louisville, Secretary
Frank W. Bowen, M.D., Carthage
William B. Harper, D.O., Greenwood
William H. Henderson, M.D., Oxford
Paul Douglas Jackson, M.D., Greenville
Joseph E. Johnston, M.D., Mount Olive
Henry J. Sanders, M.D., McComb
W. Joseph Burnett, M.D., Director

Also present:

Stan T. Ingram, Attorney for the Board
Heather Wagner, Special Assistant Attorney General
Rhonda Freeman, Division Director II, Licensure Division
Charles Moses, Division Director II, Investigative Division
Kathy Fortenberry, Administrative Assistant

The meeting was called to order at 9:30 a.m. by Dr. Bush, President. The invocation was given by Dr. Harper. Dr. Bush welcomed Kathy Dougan, reporter for *The Clarion Ledger*, and Melissa Magee, court reporter.

**APPROVAL OF CERTIFICATION OF MISSISSIPPI LICENSES TO OTHER ENTITIES
FOR THE PERIOD NOVEMBER 1, 2001, TO JANUARY 31, 2002**

One hundred sixty-eight (168) licenses were certified to other entities for the period November 1, 2001, to January 31, 2002. Motion was made by Dr. Johnston, seconded by Dr. Smith, and carried to approve these certifications. Dr. Sanders abstained.

APPROVAL OF LICENSES ISSUED FOR THE PERIOD NOVEMBER 1, 2001, TO JANUARY 31, 2002

Eighty-four (84) licenses were issued for the period November 1, 2001, to January 31, 2002. Motion was made by Dr. Johnston, seconded by Dr. Jackson, and carried to approve these licenses. Dr. Sanders abstained.

REVIEW OF MINUTES OF THE EXECUTIVE COMMITTEE MEETING DATED NOVEMBER 14, 2001, AND MINUTES OF THE BOARD MEETING DATED NOVEMBER 15, 2001

Minutes of the Executive Committee Meeting dated November 14, 2001, and Minutes of the Board Meeting dated November 15, 2001, were reviewed. Dr. Crawford moved for approval of the minutes as submitted. Dr. Jackson seconded the motion, which carried. Dr. Sanders abstained.

REVIEW OF MINUTES OF THE BOARD MEETING DATED DECEMBER 20, 2001

Minutes of the Board Meeting dated December 20, 2001, were reviewed. Dr. Smith moved for approval of the minutes as submitted. Dr. Crawford seconded the motion, which carried. Dr. Sanders abstained.

REVIEW OF MINUTES OF THE EXECUTIVE COMMITTEE MEETING DATED JANUARY 16, 2002

Minutes of the Executive Committee Meeting dated January 16, 2002, were reviewed. Dr. Johnston moved for approval of the minutes as submitted. Dr. Crawford seconded the motion, which carried. Dr. Sanders abstained.

REPORT OF FEBRUARY 20 AND 21, 2002, EXECUTIVE COMMITTEE MEETING

Dr. Burnett reported on the Executive Committee meeting, which was held prior to the Board meeting because of a lack of a quorum on Wednesday afternoon. He advised that he and Mr. Moses had met with a physician because of their concern about this physician's compliance with his MRPP contact, and he feels the physician is now in compliance. George D. England, M.D., Grand Rapids, Michigan, has been disciplined by other states for disruptive behavior. Since Dr. England is not practicing in the state, the Executive Committee did not think it was necessary to mirror the action of the other states but it will be necessary for him to notify the Board at least 30 days in advance if he should relocate to the state. Dr. Burnett

presented other informational items, which are reflected in the Executive Committee Minutes. Motion was made by Dr. Johnston, seconded by Dr. Crawford, and carried unanimously to approve the action taken by the Executive Committee.

REPORTS FROM AD HOC COMMITTEES

Alternative Medicine - Copies of a proposed Policy Statement on Chelation were presented to the Board members for their review, with a recommendation from the committee for adoption. Motion was made by Dr. Crawford, seconded by Dr. Harper, and carried unanimously to amend the policy statement to a regulation. Motion was made by Dr. Johnston, seconded by Dr. Bowen, and carried unanimously to adopt as a regulation, which will be filed with the Secretary of State under the Administrative Procedures Act. The ***Regulation Governing Chelation Therapy*** is attached hereto and incorporated by reference.

Educational Development - Dr. Henderson stated that the committee had reviewed the proposed Limited Faculty Medical License and made a motion that legislation be filed next year to create this new license. The motion was seconded by Dr. Sanders and carried unanimously.

The committee also recommended the proposed amendment to ***XXIII. F. 7. Use of Controlled Substances for Chronic (Non-Terminal) Pain***. This amendment would require any physician who treats more than 25% of his or her patients with opioids and other controlled substances on a regular basis for chronic pain to obtain at least eight hours of Category 1 CME hours. Motion was made by Dr. Henderson, seconded by Dr. Bowen, and carried unanimously to adopt this amendment. The amendment is attached hereto and incorporated by reference.

The committee presented another amendment to ***Use of Controlled Substances for Chronic (Non-Terminal) Pain***, which would require duplicate prescriptions for controlled substances. Motion was made by Dr. Henderson, seconded by Dr. Bowen to adopt this amendment, but a vote was not taken. Following discussion, motion was made by Dr. Johnston, seconded by Dr. Jackson, and carried unanimously to refer back to the committee for further study.

Impaired Physicians Program - There was no new information to report.

Office Based Surgery - This committee report was deferred until later in the meeting.

Telemedicine - Copies of a proposed ***Regulations Pertaining to Telemedicine***, which would regulate teleemergency medicine, were distributed to Board members for their review. It was recommended that this regulation be tabled until further information was received from hospitals which will be served by this program.

Legislative - There was no new information to report.

Nurse Practitioner and Expanded Role - This committee report was deferred until later in the meeting.

THE BOARD RECESSED AT 9:50 A.M. FOR A GROUP PICTURE AND RECONVENED AT 10:00 A.M.

PERSONAL APPEARANCE BY ROBERT WYNN WATSON, D.O., CRYSTAL SPRINGS, TO REQUEST REMOVAL OF RESTRICTIONS, MISSISSIPPI MEDICAL LICENSE NUMBER 15187

Dr. Watson was present but not represented by legal counsel. Ms. Wagner questioned Dr. Watson regarding legal representation, and Dr. Watson stated he wished to waive his right to an attorney and proceed without legal counsel.

Mr. Moses was sworn in and presented a chronological summary of Dr. Watson's background and history leading to the disciplinary action taken on his medical license.

Dr. Watson presented his request, and Gary D. Carr, M.D., Medical Director, Mississippi Recovering Physicians Program, addressed the Board on behalf of Dr. Watson. Both answered questions from Board members and Dr. Burnett.

Motion was made by Dr. Smith, seconded by Dr. Jackson, and carried unanimously to remove all restrictions. The Order of the Board is attached hereto and incorporated by reference.

A verbatim account of this proceeding was recorded by Melissa Magee, CSR/RPR.

**PERSONAL APPEARANCE BY CHARLES LARRY MCCULLOUGH, JR., M.D.,
PHILADELPHIA, TO REQUEST REINSTATEMENT OF LICENSE, MISSISSIPPI
MEDICAL LICENSE NUMBER 13953**

Dr. McCullough was present but not represented by legal counsel. Ms. Wagner questioned Dr. McCullough regarding legal representation, and Dr. McCullough stated he wished to waive his right to an attorney and proceed without legal counsel.

Mr. Moses was sworn in and presented a chronological summary of Dr. McCullough's background and history leading to the disciplinary action taken on his medical license.

Dr. McCullough and Dr. Carr addressed the Board and answered questions from Board members. Dr. Carr advocated for Dr. McCullough to return to practice under a RCA contract, rather than a Board Order.

Motion was made by Dr. Johnston, seconded by Dr. Bowen, and carried unanimously that the Board consider going into Executive Session to consider entry of an order which may be appealable. With a motion by Dr. Smith, seconded by Dr. Crawford, the Board went into Executive Session.

Upon motion by Dr. Johnston, seconded by Dr. Bowen, and carried unanimously, the Board came out of Executive Session at which time Dr. Bush announced to reinstate license with a RCA contract. Licensee now holds an unrestricted license. The Order of Reinstatement is attached hereto and incorporated by reference.

Dr. Smith expressed significant concerns of the Board members. He pointed out that this decision was an exception to what the Board normally does.

A verbatim account of this proceeding was recorded by Melissa Magee, CSR/RPR.

**APPROVAL OF CONSENT ORDER EXECUTED BY PATRICK GENE MCLAIN, M.D.,
MERIDIAN, MISSISSIPPI MEDICAL LICENSE NUMBER 04074**

Dr. McLain was not present or represented by legal counsel.

Dr. Burnett advised that although Dr. McLain had signed the Consent Order he was asking to be allowed to keep Schedules IV and V. Mr. Moses presented a chronological summary of Dr. McLain's background and history leading to the disciplinary action taken on his medical license.

Motion was made by Dr. Smith, seconded by Dr. Johnston, and carried unanimously to accept the Consent Order as written, a copy of which is attached hereto and incorporated by reference.

Motion was made by Dr. Smith, seconded by Dr. Crawford, and carried unanimously that Dr. Burnett would write Dr. McLain to take a prescribing course and the Board would reconsider his request for Schedules IV and V at the end of one year.

A verbatim account of this proceeding was recorded by Melissa Magee, CSR/RPR.

**APPROVAL OF CONSENT ORDER EXECUTED BY RICHARD ALFRED MAZUR, M.D.,
PASS CHRISTIAN, MISSISSIPPI MEDICAL LICENSE NUMBER 14103**

Dr. Mazur was not present or represented by legal counsel.

Mr. Ingram reviewed the case against Dr. Mazur, which was continued from November 15, 2001. Mr. Ingram pointed out that with this Consent Order Dr. Mazur's license would automatically be suspended without a hearing if he failed to pay child support.

Motion was made by Dr. Johnston, seconded by Dr. Smith, and carried unanimously to accept the Consent Order, a copy of which is attached hereto and incorporated by reference.

A verbatim account of this proceeding was recorded by Melissa Magee, CSR/RPR.

**APPROVAL OF CONSENT ORDER EXECUTED BY DIANE M. LITTLE, M.D.,
HATTIESBURG, MISSISSIPPI MEDICAL LICENSE NUMBER 12756**

Dr. Little was not present or represented by legal counsel.

Dr. Burnett and Mr. Ingram explained the Consent Order. Motion was made by Dr. Smith, seconded by Dr. Crawford, and carried unanimously to accept the Consent Order, a copy of which is attached hereto and incorporated by reference.

A verbatim account of this proceeding was recorded by Melissa Magee, CSR/RPR.

**HEARING IN THE CASE OF JOHN ALLEN FRENZ, M.D., BRANDON, MISSISSIPPI
MEDICAL LICENSE NUMBER 10906**

Dr. Frenz was not present or represented by legal counsel.

Mr. Ingram reviewed a Surrender of Medical License executed by Dr. Frenz. Motion was made by Dr. Johnston, seconded by Dr. Crawford, and carried to accept. Dr. Smith abstained. The Surrender of Medical License is attached hereto and incorporated by reference.

A verbatim account of this proceeding was recorded by Melissa Magee, CSR/RPR.

**PRESENTATION BY STAN INGRAM AND HEATHER WAGNER REGARDING THE
TORT CLAIMS ACT, HOW IT WORKS, MEMBER'S LIABILITY, AND WHAT TO DO
IF HE OR SHE RECEIVES A SUMMONS OR GETS SUED**

Mr. Ingram distributed copies of a letter summarizing the Tort Claims Act and how it affected the Board members. A copy of this letter is attached hereto and incorporated by reference. He and Ms. Wagner reviewed this information and answered questions from Board members.

OTHER BUSINESS

Ms. Wagner reported on an inquiry she had regarding the physicians list provided by the Board for credentialing purposes. Currently, there is a statement on the list that it cannot be reproduced or distributed in any form or by any means or stored in a database or retrieval system. The lists are considered public record, and according to Ms. Wagner, this statement should not be included. Ms. Wagner will give a presentation at the next Board meeting on public records and open meetings.

Ms. Wagner briefly mentioned that SB 2348, if passed, would affect how the Board files their regulations.

PROPOSED AMENDMENTS TO RULES AND REGULATIONS GOVERNING THE SUPERVISION OF NURSE PRACTITIONERS

Dr. Bush introduced Pam Pitchford, Deputy Director, Board of Nursing. Dr. Crawford presented proposed amendments to **XIII. *Supervision of Nurse Practitioners***. As reflected on page 2 of the December 14, 2001, Minutes of the Nurse Practitioner Joint Committee, Mrs. Pitchford had agreed with the proposed draft regulation for physicians and had agreed that these did not need to be promulgated by both Boards.

Motion was made by Dr. Johnston, seconded by Dr. Bowen, and carried unanimously to accept the amendment to Section B.2., which changes the definition of "free standing clinic" to include any location where the Nurse Practitioner is not physically located in the same building as the collaborating/ supervising physician.

Motion was made by Dr. Smith, seconded by Dr. Crawford, and carried unanimously to accept the remaining amendments in Section B and those in Section C.

Motion was made by Dr. Smith, seconded by Dr. Crawford, and carried unanimously to accept the amendments in Section D.1. and 2. Motion was made by Dr. Crawford, seconded by Dr. Johnston, and carried unanimously to accept the amendments in Section D.3.a., b., and c.

Motion was made by Dr. Crawford, seconded by Dr. Johnston, and carried unanimously to adopt the amended regulations, which will be filed with the Secretary of State under the Administrative Procedures Act. The amended regulation is attached hereto and incorporated by reference.

CONSIDERATION OF PROPOSED REGULATIONS FROM BOARD OF NURSING

The Board of Nursing's proposed regulations pertaining to prescribing controlled substances were reviewed. The Board members expressed concern about the educational requirements not being included in the regulations and asked that the regulation be amended to include the Nurse Practitioner Joint Committee approving the educational programs. Motion was made by Dr. Crawford, seconded

by Dr. Johnston, and carried unanimously to adopt these regulations with the aforementioned change. The amended regulations will be filed with the Secretary of State under the Administrative Procedures Act. The regulations of the Board of Nursing are attached hereto and incorporated by reference.

**APPROVAL OF SECOND ADDENDUM TO RECOVERING PHYSICIANS PROGRAM
MEMORANDUM OF UNDERSTANDING**

Included in the agendas was an addendum to the Memorandum of Understanding, which would include podiatrists participating in the program. Motion was made by Dr. Smith, seconded by Dr. Harper, and carried unanimously to approve the addendum, a copy of which is attached hereto and incorporated by reference.

ADOPTION OF AMENDMENTS TO OFFICE BASED SURGERY REGULATIONS

The amendments to the *Office Based Surgery Regulations* were reviewed. Motion was made by Dr. Smith, seconded by Dr. Johnston, and carried unanimously to adopt as amended. This will be filed with the Secretary of State under the Administrative Procedures Act. A copy of the amended regulation is attached hereto and incorporated by reference.

OTHER BUSINESS

At the December 20, 2001, Board meeting, the Board members had asked Mr. Ingram and Ms. Wagner to research requirements for out-of-state physicians coming into the state to serve as an expert witness. Mr. Ingram reported that §11-1-61 allows a person to qualify as an expert witness if the witness is currently licensed in this state or some other state. Mr. Ingram expressed that this statute would take precedent over any regulation the Board might pass.

Dr. Bush polled the Board to see who would be interested in attending the Federation of State Medical Boards meeting in San Diego April 24-28. The Board approved the following to attend this meeting: Dr. Bush, Dr. Crawford, and Dr. Johnston. Dr. Burnett, Mrs. Fortenberry, Mrs. Freeman, and Mr. Moses were approved to leave on April 23 to attend the Administrators in Medicine meeting on April 24 and the Federation meeting.

BOARD MINUTES
February 21, 2002
Page 10

Mrs. Freeman made a short presentation on a program which would allow the Board agendas to be distributed to members on a recordable CD. The Board members expressed an interest in this.

Dr. Burnett advised that he would be on personal leave from March 7 through March 19, 2002.

Dr. Bush asked that a letter be prepared on behalf of the Board to Mickey Robbins, Board Investigator, who is retiring at the end of February.

ADJOURNMENT

The meeting was adjourned at 12:30 p.m. with the next meeting scheduled for Thursday, April 18, 2002.

Respectfully submitted,



Freda M. Bush, M.D.
President

Minutes taken and transcribed
by Kathy Fortenberry
Administrative Assistant
February 21, 2002

**EXECUTIVE SESSION
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
FEBRUARY 21, 2001**

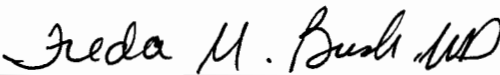
AGENDA ITEM XVII

**PERSONAL APPEARANCE BY CHARLES LARRY MCCULLOUGH, JR., M.D.,
PHILADELPHIA, TO REQUEST REINSTATEMENT OF LICENSE, MISSISSIPPI
MEDICAL LICENSE NUMBER 13953**

Motion made by Dr. Johnston seconded by Dr. Bowen, and carried to
reinstate license. Licensee now holds an unrestricted license.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Frank W. Bowen, M.D.	X			
Freda M. Bush, M.D.	X			
Dewitt G. Crawford, M.D.	X			
William B. Harper, D.O.	X			
William H. Henderson, M.D.	X			
Paul Douglas Jackson, M.D.	X			
Joseph E. Johnston, M.D.	X			
Henry J. Sanders, M.D.	X			
Robert Ray Smith, M.D.	X			

With a motion by Dr. Johnston, seconded by Dr. Bowen, the Board came out
of Executive Session.



Freda M. Bush, M.D.
President

XXV. REGULATION GOVERNING CHELATION THERAPY

The use of EDTA (ethylenediaminetetraacetic acid) in a clinical setting by delivering the medicine through parenteral or oral routes beyond its FDA approved clinical indications of laboratory documented heavy metal poisoning/intoxication/toxicity, without support of the scientific literature contained within the National Library of Medicine, or certainly much more than anecdotal evidence of its effective use in the treatment of a disease or medical condition for which a licensee uses it may be considered to be violation of Mississippi Code Annotated, Section 73-25-29 (8) (d).

However, EDTA may be used in the clinical setting when a licensee experienced in clinical investigations has applied for and received from the Board written approval for a carefully controlled clinical investigation of its effectiveness in treating diseases or medical conditions other than those approved by the FDA under a protocol satisfactory to the Board to be conducted in an academic institution. That the advertising of EDTA's administration in any matter to prevent or cure diseases or medical conditions other than laboratory documented heavy metal poisoning/intoxication/toxicity, without support of the scientific literature contained within the National Library of Medicine or certainly much more than anecdotal evidence of its effective use in the treatment of a disease or medical condition for which a licensee advertises it may be considered to be violation of Mississippi Code Annotated, Section 73-25-29 (8) (d) and/or the rules promulgated pursuant thereto.

Adopted February 21, 2002.

XXIII. REGULATIONS PERTAINING TO PRESCRIBING, ADMINISTERING AND DISPENSING OF MEDICATION

F. USE OF CONTROLLED SUBSTANCES FOR CHRONIC (Non-Terminal) PAIN

7. Any physician who treats more than twenty to twenty-five per cent (20 - 25 %) of their patients with opioids and other controlled substances on a regular basis for chronic pain, shall be required to obtain at least eight (8) hours of Category 1 continuing medical education (CME) hours, as defined in Article XXI, in the following areas:

1. Use of controlled substances for chronic pain;
2. Proper treatment of substance abuse in patients; and
3. Proper medical record keeping.

These CME hours may be included in the forty (40) CME hours required for renewal of a medical license. All aforementioned physicians shall be able to show proof of having obtained the required CME within one year from the effective date of this regulation. CME in the the above areas acquired during the year prior to the effective date of this regulation will be considered for acceptance on a case by case basis. Physicians receiving an initial license after the effective date of this regulation shall obtain the required eight (8) CME hours within the year following the issuance of their medical license. Each year following the initial requirement of eight (8) CME hours, every physician falling into the aforementioned categories shall obtain at least two (2) Category 1 CME hours in the required subject matter areas. These two CME hours may be included in the forty (40) CME hours required for renewal of medical license. Documentation of such continuing medical education shall be maintained by the physician and is subject to examination by representatives of the State Board of Medical Licensure upon request.

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
IN THE MATTER OF THE PHYSICIAN'S LICENSE

OF

ROBERT WYNN WATSON, D.O.

ORDER REMOVING ALL RESTRICTIONS

THIS MATTER came on regularly for hearing on February 21, 2002, before the Mississippi State Board of Medical Licensure, in response to the Petition of Robert Wynn Watson, D.O. (hereinafter "Licensee"), seeking removal of all restrictions on his license to practice medicine imposed by virtue of that certain Consent Order dated January 21, 1999. After hearing said petition, the Board finds Licensee's petition to be well-taken.

IT IS HEREBY ORDERED, that Licensee's petition for removal of all restrictions is hereby granted. Licensee now holds an unrestricted license to practice medicine in the State of Mississippi.

IT IS FURTHER ORDERED, that pursuant to Miss. Code Ann. Sections 73-25-27 and 73-25-32 (1972), a copy of this Order shall be sent by registered mail or personally served upon Robert Wynn Watson, D.O.

ORDERED, this the 21st day of February, 2002.

MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE

BY: Freda M. Bush, MD
FREDA M. BUSH, M.D.
PRESIDENT

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
IN THE MATTER OF THE PHYSICIAN'S LICENSE

OF

CHARLES L. McCULLOUGH, JR., M.D.

ORDER OF REINSTATEMENT

THIS MATTER came on regularly for hearing on February 21, 2002, before the Mississippi State Board of Medical Licensure, in response to the petition of Charles L. McCullough, Jr., M.D. (hereinafter "Licensee"), seeking reinstatement of his license to practice medicine.

On March 20, 2001, Licensee entered into a Consent Order with this Board, indefinitely suspending his license to practice medicine due to chemical dependency. Licensee has now completed treatment and obtained affiliation/advocacy with the Mississippi Recovering Physician Program, all as required by said Consent Order. Licensee now wishes to return to the practice of medicine. The Board, after hearing said petition, finds the same to be well-taken.

NOW THEREFORE, IT IS HEREBY ORDERED, that Licensee's petition for reinstatement of licensure is hereby granted. Licensee now holds an unrestricted license to practice medicine in the State of Mississippi.

IT IS FURTHER ORDERED, that pursuant to Miss. Code Ann. Sections 73-25-27 (1972), a copy of this Order shall be sent by registered mail or personally served upon Charles L. McCullough, Jr., M.D.

ORDERED, this the 21st day of February, 2002.

MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE

BY:

Freda M. Bush, MD

FREDA M. BUSH, M.D.
PRESIDENT

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE

OF

PATRICK GENE MCLAIN, M.D.

CONSENT ORDER

WHEREAS, PATRICK GENE MCLAIN, M.D., hereinafter referred to as "Licensee," is the current holder of Mississippi Medical License Number 04074, current until June 30, 2002;

WHEREAS, Licensee has surrendered his U.S. Drug Enforcement Controlled Substances Registration Certificate, effective December 21, 2001;

WHEREAS, the Investigative Staff of the Mississippi State Board of Medical Licensure has conducted a comprehensive investigation into the medical practice of Licensee, and has documented evidence indicating that Licensee, has violated the rules and regulations of the Board "Pertaining to Prescribing, Administration and Dispensing of Medication," in regards to the use of opioid and anorectic controlled substance medications and other prescribing violations;

WHEREAS, such conduct is in violation of the Mississippi Medical Practice Act and specifically Miss. Code Ann. (1972) §73-25-29 (3) and (8)(d) and (13), for which the Mississippi State Board of Medical Licensure may revoke the medical license of Licensee, suspend it for a time deemed proper by the Board, or take any other action as the Board may deem proper under the circumstances;

WHEREAS, Licensee wishes to avoid a hearing before the Mississippi State Board of Medical Licensure and in lieu thereof, has requested that certain restrictions be placed upon his license to practice medicine in the State of Mississippi;

NOW, THEREFORE, the Mississippi State Board of Medical Licensure, with consent

of Licensee as signified by his joinder herein, does hereby suspend Licensee's certificate to practice medicine in the State of Mississippi for a period of at least three (3) years, with the suspension stayed, subject to the following probationary terms and conditions:

1. Licensee shall, within thirty (30) days of the effective date of this Consent Order, obtain a comprehensive psychiatric and physical evaluation from a facility approved in advance by the Executive Director of the Board of Medical Licensure. Licensee shall execute all appropriate releases of information that will allow for a free flow of information between the evaluators and the Board. Upon receipt of a final evaluation report and consideration thereof, the Board reserves the right to impose any additional conditions or restrictions not already provided for herein on Licensee's medical practice, as may be deemed necessary to further protect the public.
2. Licensee has surrendered his DEA registration certificate and is prohibited from seeking reinstatement of same for at least three (3) years.
3. Licensee's bariatric practice shall be limited to treating patients in a weight loss program utilizing a regimen of weight reduction based on non-controlled anorectic medications approved by the FDA for such use, in conjunction with caloric restriction, nutritional counseling, behavior modification and exercise.
4. Licensee shall comply with all Federal and State laws governing the practice of medicine and shall comply with the rules and regulations of the Board "Pertaining to Prescribing, Administration and Dispensing of Medication," and after thoroughly familiarizing himself with said rules and regulations, shall so indicate to the Board in writing.
5. Within one (1) year of the effective date of this Consent Order, Licensee must

attend and successfully complete a course in medical record keeping, with said course approved in advance by the Executive Director of the Board. Following completion of this course, Licensee shall submit to the Board documentary proof of successful completion.

6. Licensee's practice of medicine shall be subject to periodic surveillance by the Mississippi State Board of Medical Licensure. The Board's Executive Director, any member of the Board or medical consultant appointed by the Board, or investigative staff, may perform a patient chart review of a representative sample of those patients treated by Licensee.

Licensee shall have the right to petition the Mississippi State Board of Medical Licensure for release of any or all of the above enumerated conditions after the expiration of one (1) year from the effective date hereof. Thereafter, any right to petition the Board for reconsideration shall be at reasonable intervals, but not less than twelve (12) months from the date of last appearance.

This Consent Order shall be subject to approval by the Mississippi State Board of Medical Licensure. If the Board fails to approve the Consent Order, in whole or in part, it shall have no force or effect on the parties. It is further understood and agreed that the purpose of this Consent Order is to avoid a hearing before the Mississippi State Board of Medical Licensure. In this regard, Licensee authorizes the Board to review and examine any documentary evidence or materials concerning the Licensee prior to or in conjunction with its consideration of the Consent Order. Should the Consent Order not be accepted by the Board, it is agreed that presentation to and consideration of the Consent Order and other documents and matters pertaining thereto by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation or consideration of the resolution of the proceedings.

Pursuant to Miss. Code Ann., Section 73-25-30, Licensee shall pay all such investigative costs as are allowed by law. Licensee shall be advised of the total assessment by separate written notification, and shall have a certified check or money order made payable to the Mississippi State Board of Medical Licensure on or before forty (40) days from the day of acceptance and approval of this Consent Order by the Board.

Licensee understands and expressly acknowledges that this Consent Order executed by the Mississippi State Board of Medical Licensure shall constitute a public record of the State of Mississippi. Execution of this Consent Order shall not be interpreted as an admission of malpractice by Licensee.

Recognizing his right to a notice of charges specified against him, to have such charges adjudicated pursuant to Miss. Code Ann. §73-25-27, to be represented therein by legal counsel of his choice, and to a final decision rendered upon written findings of fact and conclusions of law, PATRICK GENE MCLAIN, M.D., nonetheless, hereby waives his right to notice and a formal adjudication of charges and authorizes the Mississippi State Board of Medical Licensure to enter an order accepting this Consent Order, thereby suspending his license to practice medicine in the State of Mississippi for a period of three (3) years, with the suspension stayed subject to those probationary terms and conditions enumerated above.

Dr. Burnett:
2 handy request
4 & 5 DEA
PM

Patrick Gene McClain

PATRICK GENE MCLAIN, M.D.
19 Feb 02

Date
Sherry Gray

Witness

ACCEPTED AND APPROVED, this the 21st day of February, 2002,
by the Mississippi State Board of Medical Licensure.

Freda M. Bush MD

FREDA M. BUSH, M.D., PRESIDENT

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF PHYSICIAN'S LICENSE

OF

RICHARD A. MAZUR, M.D.

CONSENT ORDER

WHEREAS, RICHARD A. MAZUR, M.D., hereinafter referred to as "Licensee" is the holder of License No. 14103, current until June 30, 2002, for the practice of medicine in the State of Mississippi;

WHEREAS, on November 15, 2001, Licensee appeared before the Mississippi State Board of Medical Licensure in response to a Summons and Affidavit charging him with having been disciplined in the State of Illinois and other violations of the Mississippi Medical Practice Act. In response, Licensee petitioned the Board for a dismissal of all pending charges. It was the decision of the Board to deny Licensee's Motion to Dismiss and further, ordered a continuance of said matter until March 21, 2002.

WHEREAS, on January 8, 2002, Licensee entered into a Memorandum of Understanding with the Office of the United States Attorney, Southern District of Mississippi, whereby he agreed to plead guilty to Count 2 of an indictment pending in Criminal Case Number 1:01cr102BrG, charging him with violation of Section 228 (a)(3), Title 18, United States Code (Failure to Pay Legal Child Support Obligations.)

WHEREAS, it is the desire of Licensee to avoid a full, evidentiary hearing before the Mississippi State Board of Medical Licensure and in lieu thereof, requests that certain restrictions be placed on his license to practice medicine in the State of Mississippi;

NOW, THEREFORE, the Mississippi State Board of Medical Licensure, with consent of Licensee as signified by his joinder herein, does hereby suspend Licensee's certificate to practice medicine in the State of Mississippi for five (5) years, with the suspension stayed, subject to the following probationary terms and conditions:

1. Licensee shall strictly comply with all of the terms and conditions of his Federal Memorandum of Understanding Agreement, final sentencing and probation.
2. Licensee shall report in writing to the Mississippi State Board of Medical Licensure within fifteen (15) days should his medical license in any state be subject to investigation or disciplinary action.
3. Licensee shall obey all federal, state and local laws, and all rules and regulations governing the practice of medicine.
4. Should the Executive Director of the Board determine that Licensee is in violation any of the terms of his Federal plea agreement and/or any of the probationary terms and conditions imposed by the Federal Court, and upon written notification of said violation(s), then his Mississippi Medical license shall be immediately suspended without a hearing.

IT IS FURTHER ORDERED, that at such time as Licensee has completed all federal probationary terms and conditions, Licensee shall have the right to petition the Mississippi State Board of Medical Licensure for a release of any or all of above enumerated

conditions. Thereafter, any right to petition the Board for reconsideration shall be at reasonable intervals, but not less than twelve (12) months from date of last appearance.

IT IS FURTHER ORDERED, that pursuant to Miss. Code Ann., Section 73-25-30, Licensee shall pay all such investigative costs as are allowed by law. Licensee shall be advised of the total assessment by separate written notification, and shall have a certified check or money order made payable to the Mississippi State Board of Medical Licensure on or before forty (40) days from the day of acceptance and approval of this Consent Order by the Board.

This Consent Order shall be subject to approval by the Board. If the Board fails to approve this Consent Order, in whole or in part, it shall have no force or effect on the parties. It is further understood and agreed that the purpose of this Consent Order is to avoid a hearing before the Board. In this regard, Licensee authorizes the Board to review and examine any documentary evidence or materials concerning Licensee prior to or in conjunction with its consideration of this Consent Order. Should this Consent Order not be accepted by the Board, it is agreed that presentation to and consideration of this Consent Order and other documents and matters pertaining thereto by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation or consideration of the resolution of the proceeding.

Recognizing his right to notice of charges specified against him, to have such charges adjudicated pursuant to Miss. Code Ann. Section 73-25-27 (1972), to be represented therein by legal counsel of his choice, and to a final decision rendered upon written findings of fact and conclusions of law, RICHARD A. MAZUR, M.D., nonetheless, hereby waives his right to notice and a formal adjudication of charges and authorizes the

Board to enter an Order accepting this Consent Order, thereby suspending Licensee's certificate to practice medicine in the State of Mississippi for five (5) years, with the suspension stayed, subject to those terms and conditions enumerated above.

Signed this the 20th day of February, 2002.

Richard A. Mazur M.D.
RICHARD A. MAZUR, M.D.

Malcolm F. Jones
Witness

ACCEPTED AND APPROVED, this the 21st day of February, 2002 by the
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE.

By: Freda M. Bush M.D.
FREDA M. BUSH, M.D.
PRESIDENT

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE OF

DIANE M. LITTLE, M.D.

CONSENT ORDER

WHEREAS, the Investigative Staff of the Mississippi State Board of Medical Licensure has conducted a comprehensive investigation into the medical practice of DIANE M. LITTLE, M.D., Hattiesburg, Mississippi, and has documented evidence indicating that Dr. Little (hereinafter referred to as "Licensee") is suffering from mental illness, excessive use of alcohol, and has committed professional sexual misconduct;

WHEREAS, Licensee voluntarily entered into an evaluation and treatment at the Professional Renewal Center (PRC), Lawrence, Kansas, under the care and direction of Richard Irons, M.D., on or about July 28, 2001, and successfully completed initial primary inpatient treatment on September 13, 2001. She returned to PRC on October 8, 2001, for additional treatment and was granted an extended leave on or about November 2, 2001, subject to certain aftercare treatment recommendations, specifically including no practice of medicine until at least January or February 2002, at which time follow-up treatment with Dr. Irons will be scheduled;

WHEREAS, pursuant to Subsection (8)(d) of Section 73-25-29, Subsections (a) and (c) of Section 73-25-53 and Section 73-25-83(a), Miss. Code Ann. (1972), the aforementioned acts constitute unprofessional and unethical conduct, for which the Mississippi State Board of Medical Licensure may revoke the Mississippi medical license of Licensee, suspend her right to practice for a time deemed proper by the Board, place her license on probation, the terms of which may be set by the Board, or take any other action in relation to her license as the Board may deem proper under the circumstances;

WHEREAS, Licensee is the current holder of License No. 12756 for the practice of medicine in the State of Mississippi;

WHEREAS, it is the desire of Licensee to avoid a hearing before the Mississippi State Board of Medical Licensure and in lieu thereof, requests that certain restrictions be placed on her license to practice medicine in the State of Mississippi;

NOW, THEREFORE, the Mississippi State Board of Medical Licensure, with consent of Licensee as signified by her joinder herein, does hereby prohibit Licensee from practicing medicine in the State of Mississippi for at least one (1) year. In consideration of Licensee's time already spent away from the practice of medicine during her treatment at PRC and during therapeutic leave time, said prohibition will be in effect for at least one (1) year beginning July 28, 2001, after which, Licensee shall have the right to appear before the Board at the next available meeting date, and petition for reinstatement. At such time, the Board reserves the right to then consider her ability to practice medicine with reasonable skill and safety and to impose any additional restrictions or conditions as it may deem necessary to protect the public and to maintain Licensee's recovery.

This Consent Order shall be subject to approval by the Board. If the Board fails to approve the Consent Order, in whole or in part, it shall have no force or effect on the parties. It is further understood and agreed that the purpose of this Consent Order is to avoid a hearing before the Board. In this regard, Licensee authorizes the Board to review and examine any documentary evidence or materials concerning Licensee prior to or in conjunction with its consideration of the Consent Order. Should the Consent Order not be accepted by the Board, it is agreed that presentation to and consideration of the Consent Order and other documents and matters pertaining thereto by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation or consideration of the resolution of the proceedings.

Licensee understands and expressly acknowledges that this Consent Order, if approved and executed by the Mississippi State Board of Medical Licensure, shall constitute a public record of the State of Mississippi.

Recognizing her right to notice of charges specified against her, to have such charges adjudicated pursuant to Miss. Code Ann. (1972) Section 73-25-27, to be represented therein by legal counsel of her choice, and to a final decision rendered upon written findings of fact and conclusions of law, DIANE M. LITTLE, M.D., nonetheless hereby waives her right to notice and a formal adjudication of charges and authorizes the Board to enter an order accepting this Consent Order, thereby prohibiting her from the practice of medicine in the State of Mississippi for at least one (1) year, effective July 28, 2001.

EXECUTED, this the 1st day of February, 2002.

Diane M. Little, M.D.
DIANE M. LITTLE, M.D.

ACCEPTED AND APPROVED, this the 21st day of February, 2002, by the
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE.

Freda M. Bush MD
FREDA M. BUSH, M.D.
PRESIDENT

**BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
IN THE MATTER OF THE PHYSICIAN'S LICENSE**

OF

JOHN ALLEN FRENZ, M.D.

SURRENDER OF MEDICAL LICENSE

WHEREAS, John Allen Frenz, M.D., herein referred to as "Licensee", is the current holder of License Number 10906 to practice medicine in the State of Mississippi;

WHEREAS, an investigation has been conducted by the Mississippi State Board of Medical Licensure indicating that Licensee is currently unable to practice medicine with reasonable skill and safety to patients;

WHEREAS, it is the desire of Licensee to avoid a hearing before the Mississippi State Board of Medical Licensure and in lieu thereof has consented to the unconditional surrender of his license to practice medicine in the State of Mississippi;

NOW, THEREFORE, Licensee hereby voluntarily surrenders his license (No. 10906) to practice medicine in the State of Mississippi. Licensee understands that this is an unconditional surrender. In the event Licensee later decides to practice medicine in the State of Mississippi, it will be necessary for him to make application with the Board. At such time, the Board reserves the right to utilize all evidence currently in its possession or which may hereinafter be obtained, as part of consideration of any application.

By executing this document, Licensee acknowledges and understands this action is reportable to the National Practitioner Data Bank, The Federation of State Medical Boards, and is subject to be a part of Licensee's permanent licensure file.

Licensee further acknowledges that he has carefully read and understands the contents of this Surrender; that before signing this Surrender, it was fully explained to him by his attorney, who completely advised him of his rights to a full due process hearing before the Mississippi State Board of Medical Licensure; that by signing this surrender, Licensee waives all rights to such a hearing; that he understands and agrees to each and every term and condition contained herein; and that he signed the same as his own free act and deed.


Notwithstanding above, it is understood and agreed that by signing this Surrender, Licensee does not admit or acknowledge any wrongful misconduct, negligent act, error, or omission.

EXECUTED, this the 13th day of February, 2002.


JOHN ALLEN FRENZ, M.D.


WITNESS

ACCEPTED AND APPROVED, this the 21st day of February, 2002, by the MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE.


FRIEDA M. BUSH, M.D.
PRESIDENT

HEIDELBERG & WOODLIFF, P.A.
ATTORNEYS AT LAW

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Facsimile: 601-544-7823

Cecil F. Heidelberg, Jr.
1912-1991
Rowland W. Heidelberg
1922-1989
D. Gary Sutherland
1924-1995
of Counsel:
George F. Woodliff

February 21, 2002

W. Joseph Burnett, M.D., Director
Mississippi State Board of Medical Licensure
P.O. Box 9268
Jackson, MS 39286-9268

RE: Mississippi Tort Claims Act

Dear Dr. Burnett:

A number of years ago, following adoption of the Mississippi Tort Claims Act, we rendered an opinion letter to the Board concerning Board member liability. Subsequent to our opinion there have been a number of changes, Attorney General opinions, and cases which are of interest in advising the Board. For simplicity, the following is a summary of the act:

What is the Tort Claims Act?

The Mississippi Tort Claims Act, codified as Mississippi Code Ann. § 11-46-1 through 11-46-23, was adopted in 1984, and addresses the immunity extended to state and political subdivisions (Boards, Commissions, etc.) from liability due to personal injury or other damage suits. The act recognized the long standing principle of *sovereign immunity*. Under this doctrine, the State of Mississippi and any of its employees were immune from suits at law or equity for any wrongful actions. As amended in 1992, however, the State chose to waive the sovereign immunity doctrine, subject to certain terms and conditions.

What Protection is given to the Medical Board by Virtue of the Act?

Section 11-46-5 provides a waiver of immunity. It states:

The immunity of the state and its political subdivisions from claims for money damages arising out of torts of such governmental entities and the torts of their employees where acting within the course and scope of their employment is hereby waived from and after July 1, 1993 as to the state, and from and after October 1, 1993 as to political subdivisions.

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employees where acting within the course and scope of their employment is hereby waived from and after July 1, 1993 as to the state, and from and after October 1, 1993 as to political subdivisions.

The waiver of immunity is limited, however, to the monetary limits set forth in Section 11-46-15. For claims or causes of actions arising during the following periods, the limitations are:

July 1, 1993 - July 1, 1997	\$50,000.00
July 1, 1997 - July 1, 2001	\$250,000.00
July 1, 2000 - Present	\$500,000.00

In addition to the above limitations, no judgment against a governmental entity or its employee for any act or omission, shall include an award for exemplary or punitive damages, or for interest prior to judgment, or an award of attorney's fees, unless attorney fees are already provided for by law.

Section 11-46-7 further states that the remedies provided for in the Act shall be the exclusive remedies which any person may have against the State, its political subdivision, and employees. Simply stated, the above monetary limits represent the sole remedy which a plaintiff may have against the Mississippi State Board of Medical Licensure, its board members, and employees.

The protections and limitations set forth in the Tort Claims Act only apply to the Board members and employees when acting within the course and scope of their employment or state function. No protection is granted if the actions of a Board member or employee constitutes fraud, malice, liable, slander, defamation, or any criminal offense other than a traffic violation.

Section 11-46-9 exempts from the Act and maintains the doctrine of sovereign immunity for the following situations (list includes only those applicable to the Board):

1. Claims arising out of a Board member/employee exercising ordinary care in relying upon or carrying out a statute, ordinance or regulation, whether or not the statute, ordinance or regulation is valid.
2. Claims based upon the exercise of discretionary functions, i.e. whether or not to issue a medical license, or adopt a particular rule or regulation.

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3. Claims arising out of the injury caused by adopting or failing to adopt a statute, ordinance or regulation.
4. Claims arising out of the issuance, denial, suspension or revocation of a license “unless such issuance, denial, suspension or revocation or the failure or the refusal thereof, is of a malicious or arbitrary and capricious nature.” (emphasis added)

From a Board member liability standpoint, the “malicious or arbitrary and capricious” exception to the above exemptions, is significant. Board hearings are conducted consistent with due process. Therefore, it is extremely unlikely that any decision by the Board would be deemed “malicious.” However, when action by the Board is not supported by substantial evidence, the action is deemed to be “arbitrary and capricious.” This is the reason why Board members must understand the importance of a due process hearing and consider all evidence presented by both the complaint counsel and defense. It is the responsibility of the complaint counsel to introduce all documentary evidence and testimony which may support the action of the Board. To our knowledge, a decision of the Board has never been reversed by the Mississippi Supreme Court. In all cases, the decision rendered by the Board was found to be supported by substantial evidence. Our primary objective, therefore, is to make sure that whatever action the Board takes, adequate evidence is in the record.

How does the Tort Claims Act Work?

The Tort Claims Act is administered through the Mississippi Tort Claims Board. All lawsuits filed against the state or its employees must be filed after following certain notification requirements to the Tort Claims Board. When suing the State, a complainant must follow the notification procedures set forth at Section 11-46-11 of the Tort Claims Act, to-wit:

1. Ninety (90) days prior to filing suit, the complainant must file a Notice of Claim with the Chief Executive Officer of the Board, whereupon a copy of said claim is forwarded to the Mississippi Tort Claims Board within five (5) days of receipt thereof.
2. The Notice of Claim must be in writing, delivered either in person or by registered mail, and contain a short and plain statement of the facts by which the claim is based, including the circumstances which brought about the injury, the extent of the injury, the time and place the injury occurred, the names of all persons known to be

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involved, the amount of money damages sought and the residence of the person making the claim at the time of the injury and the time of filing the notice.

3. All actions against the Board must be commenced within one (1) year after the date of the wrongful actionable conduct.

Any lawsuit filed against the Board, Board members, and employees, will be administered through the Tort Claims Fund subject to the above noted maximum limitations of Section 11-46-15.

Each state agency is obligated to defend its employees when a lawsuit is filed. Because the Board is a state agency, however, the Attorney General's office is contractually obligated to defend the Board, its members and employees. Section 11-46-7(3) provides, in part:

From an after July 1, 1993 as to the state, from and after October 1, 1993 as to political subdivisions every governmental entity shall be responsible for providing a defense to its employees and for the payment of any judgment in any civil action or settlement of any claim against an employee for monetary damages arising out of any act or omission with the course and scope of his employment; provided however, that to the extent that a governmental entity has in effect a valid and current certificate of coverage issued by the Board [Tort Claims Board] as provided in Section 11-46-17 . . . or a plan or policy of insurance and/or reserves which the board [Tort Claims Board] has approved, the governmental entity's duty to indemnify and/or defend such claim on behalf of its employee shall be secondary to the obligation of any such insurer or indemnitor, whose obligation shall be primary.

The above section states that the monetary limits of liability as set forth in Section 11-46-15 will be applied, but if the Board has purchased an indemnity policy for the benefit of its members and employees, the Insurer under that policy will be the one primarily responsible to defend and pay any damage awards up to the maximum limits in the policy. If any award exceeds the policy limits, the State's liability will not exceed that set forth in Section 11-46-15. Section 11-46-16(2) further verifies that sovereign immunity is only waived to the extent of such liability insurance, and a judgement creditor shall have recourse only to the proceeds or right to proceeds of such liability insurance.

Based upon the above directive, the Board has elected not to purchase separate liability insurance, and elected, in lieu thereof, to participate in the Tort Claims Fund. From and after July

1, 1993 each governmental entity, including the Board, must contribute to a comprehensive plan of self-insurance, through assessment of each state agency by the Tort Claims Board. At least once per year, the Board is billed and pays a fee to support the Tort Claims Fund.

Should Board Members Purchase Individual Liability Policies?

There is no requirement under the Mississippi Tort Claims Act for Board members to purchase individual liability policies. It must be emphasized, however, that the protections enumerated in the Act apply only to that conduct by board members and employees when acting within the course and scope of employment.

To ensure that any actions taken by the Board are within the course and scope of his/her appointment, the following precautions should be taken:

1. Avoid any ex parte communications with any party appearing before the Board.
2. In case of conflict, Board members should recuse themselves.
3. During hearings, ask only those questions deemed necessary to gather the facts. Avoid unnecessary comments or arguments with a witness and/or licensee. Save your comments observations and decisions for executive session.
4. Administer discipline consistently based on the facts and circumstances of each case, implementing your ultimate responsibility to protect the public.
5. Proper minutes of each board meeting should be kept to adequately reflect the discretionary functions exercised by the Board.
6. When the Board goes into executive session, the minutes should reflect the proper statutory reason to go into executive session, i.e. to render discipline or consider an order or decision which can be appealed..
7. If receiving a telephone call from a licensee, attorney or media representative, make no comment and refer the matter to the Board's Director or counsel.

Assuming the conduct of a particular Board member is within the course and scope of employment (or Board responsibility), any judgement against that Board member will be subject

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to the protections of the Tort Claims Act, i.e. the plaintiff will receive no funds greater than that set forth in Section 11-46-15. There would be no individual liability. However, this does not mean that a Board member will not be sued in his/her individual capacity nor does it ensure that the Board member will always be found to act within the course and scope of his/her employment. While we recognize that the risk of this occurring is minimal, Board members may wish to obtain individual insurance protection. Whether or not this is accomplished through a separate liability policy or added as a rider to an existing policy, remains to be determined. Any insurance purchased however, should be limited to those situations where protections under the Mississippi Tort Claims Act do not apply.

What To Do If A Board Member/Employee Is Sued?

Upon receipt of a summons, the Board member/employee should make note of the manner in which process was accomplished:

1. Was it personally served on you, left with your spouse or family member, etc.
2. Immediately contact the Board's Director, forwarding the original summons and notice with a brief description as to the manner in which the process was served. It is important that you adequately document the manner of process as this may directly impact the suit's validity.
3. Upon receipt of notice and summons, the Board's Director will contact the Attorney General's office and request its defense.
4. When served with process, make no comment as to the allegations set forth in the complaint one way or another.

Adherence to the above recommendations and observations will serve to tremendously decrease the likelihood of any liability by Board members. During our twenty (20) plus years of representation of the Board, there has never been an adverse judgement rendered against the Board, its members or employees. But as human nature dictates, lawsuits will be filed. The Mississippi Tort Claims Act, while providing tremendous security and indemnity to Board members and employees, extends no guarantees that suits will not be filed.

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Very truly yours,

HEIDELBERG & WOODLIFF, P.A.



Stan T. Ingram

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XIII. SUPERVISION OF NURSE PRACTITIONERS

AUTHORITY: CHAPTER 25 AND 27, TITLE 73, MISSISSIPPI CODE (1972)
ANNOTATED, AS AMENDED

A. SCOPE

These regulations apply to all individuals licensed to practice medicine or osteopathic medicine in the State of Mississippi.

B. DEFINITIONS

For the purpose of Article XIII only, the following terms have the meanings indicated:

1. "Physician" means any person licensed to practice medicine or osteopathic medicine in the State of Mississippi.
2. "Free Standing Clinic" means a clinic or other facility wherein patients are treated by a Nurse Practitioner who is not physically located in the same building as that of the Collaborating/Supervising Physician. Excluded from this definition are all licensed hospitals.
3. "Primary Office" means the usual practice location of a physician and being the same location reported by that physician to the Mississippi State Board of Medical Licensure and the United States Drug Enforcement Administration.
4. "Collaboration" means a Mississippi State Board of Medical Licensure recognized relationship between the nurse practitioner and a physician with an unrestricted license to practice medicine in the state of Mississippi. This relationship must be documented in a protocol that is mutually agreed upon by the physician and the nurse practitioner and approved by the Mississippi State Board of Medical Licensure and Mississippi Board of Nursing.
5. "Collaborating/Supervising Physician" means a physician who, pursuant to a duly executed protocol has agreed to supervise a Nurse Practitioner.
6. "Nurse Practitioner" means any person licensed to practice nursing in the State of Mississippi and certified by the

Mississippi Board of Nursing to practice in an expanded role as a Nurse Practitioner.

C. BOARD REVIEW

1. Before any physician shall execute a protocol to supervise a Nurse Practitioner who plan or anticipates practicing in a Free Standing Clinic, the physician must first (a) appear personally before the Mississippi State Board of Medical Licensure, (b) present and discuss the protocol, and (c) obtain approval from the Board to act as a Supervising Physician. The facts and matters to be considered by the Board shall include, but is not limited to, how the Supervising Physician and Nurse Practitioner plan to implement the protocol, the method and manner of supervision, consultation, referral and liability. This requirement shall not apply to collaborative practice arrangements existing at the time of the effective date of these amended regulations. If there is a change in the primary collaborating/supervising physician or clinic site, personal appearance will be required.
2. The requirement of Board appearance and approval set forth in Subpart 1 above also applies to any physician supervising a Nurse Practitioner who later moves to a Free Standing Clinic under an existing protocol.
3. Where a Nurse Practitioner is being supervised in a Free Standing Clinic pursuant to an existing protocol as of the effective date of this regulation, the requirements of personal appearance and Board approval set forth in Subpart 1 above shall not be required until the next succeeding renewal date for said certificate as required by the Mississippi State Board of Nursing.
4. Where two or more physicians anticipate executing a protocol to supervise a Nurse Practitioner practicing in a Free Standing Clinic, it shall not be necessary that all of the physicians personally appear before the Mississippi State Board of Medical Licensure as required in Subpart 1 above. In this situation, the physician who will bear the primary responsibility for the supervision of the Nurse Practitioner shall make the required personal appearance.

D. PHYSICIAN QUALITY IMPROVEMENT RESPONSIBILITIES

The decision to work in a collaborative practice arrangement with a nurse practitioner involves more than simply signing a practice protocol and being available for consultations. The responsibilities outlined in these regulations are the minimum standards that will be required to ensure that there is an active collaborative process between physician(s) and nurse practitioner(s) as outlined in a mutually agreed upon written protocol. Each protocol shall, at a minimum, include the following Quality Improvement responsibilities for the collaborating physician(s):

1. To ensure the continuity of the collaborative process, an alternative physician(s) shall be designated on the protocol and will be available to provide necessary services in the absence of the primary collaborating physician.
2. Collaborating physicians will be available for daily status reports on complications or problems encountered that are not covered by the practice protocol. The physicians will be available to accept referrals from the nurse practitioner or make alternative arrangements to handle such referrals.
3. If the nurse practitioner routinely provides services at a location other than where the collaborating physician is located, or if the physician is not otherwise engaged in full-time medical practice, the following requirements are applicable:
 - a. The collaborating physician will be physically present at the off-site practice location at least once monthly during the nurse practitioner's regular working hours. The physician shall remain at the off-site practice location for the necessary amount of time to meet his/her minimum responsibilities as described herein, including, but not limited to, directly observing the activities of the nurse practitioner in taking patient histories, making a diagnosis, rendering treatment and providing counseling. The collaborating physician will maintain a log of dates and times when he or she was present at the off-site practice location. Physicians working with health clinics operated by State Institutions of Higher Learning or other practice situations approved by either Board may be exempted from the requirements in this section by petitioning the Executive Director of the Mississippi State Board of Medical Licensure in writing.

b. The collaborating physician shall review each written follow-up report from physicians to whom patients were referred by the nurse practitioner in order to consider the appropriateness of the referral and prior treatment rendered by the nurse practitioner. In addition, all patient charts will be reviewed that involve complications from treatment and adverse drug reactions. On at least a monthly basis, the collaborating physician shall review a random sampling of no less than five percent (5%) of all patient charts involving treatment that was solely rendered by the nurse practitioner, and a notation shall be made by the physician in each chart reviewed as to the date said review was done. If the nurse practitioner is exercising controlled substance prescribing authority, at least twenty-five percent (25%) of charts involving treatment with controlled substances shall be reviewed, but these charts can be included in the overall 5% total. A log of the charts reviewed in accordance with this section shall be maintained by the physician in the off-site clinic, with a reference included as to the patient or file number, date of review, and reason for the review. This log shall be made available for inspection upon request by any duly authorized representative of the Mississippi State Board of Medical Licensure.

c. In order to ensure that the collaborating physician(s) have met their obligations under these regulations, the Mississippi State Board of Medical Licensure has the authority to review any and all records or documents related to the conduct of Quality Improvement and the collaborating physician(s) will cooperate fully with any monitoring activities undertaken by the Mississippi State Board of Medical Licensure in this regard.

E. **SUPERVISING PHYSICIAN LIMITED**

No physician shall be authorized to supervise a Nurse Practitioner unless that physician holds an unrestricted license to practice medicine in the State of Mississippi.

F. **RE-EVALUATION OF NURSE PRACTITIONER CATEGORIES**

Pursuant to authority granted in Mississippi Code (1972) Annotated, Section 73-15-5, the Mississippi State Board of Medical Licensure, along with the Mississippi Board of Nursing are granted authority to

jointly promulgate rules and regulations governing Nurse Practitioners. In order to insure the current nature and accuracy of said rules and regulations, the Board shall perform a review of said regulations every two (2) years. If changes are deemed necessary, joint action by the Board and Mississippi Board of Nursing shall be pursued.

G. VIOLATION OF REGULATIONS

Any violation of the Rules and Regulations as enumerated above shall constitute unprofessional conduct in violation of Mississippi Code (1972) Annotated, Section 73-25-29(8), as amended.

H. EFFECTIVE DATE OF REGULATIONS

The above rules and regulations pertaining to Supervising Physicians shall become effective September 21, 1991, as amended February 21, 2002.

2.4 ~~REGULATIONS PERTAINING TO~~ PRESCRIBING CONTROLLED SUBSTANCES AND MEDICATIONS BY NURSE PRACTITIONERS

a. SCOPE:

These regulations apply to all individuals authorized to practice as a nurse practitioner in the State of Mississippi. Pursuant to these regulations, authorized nurse practitioners may prescribe Schedules II-V.

b. DEFINITIONS:

(1) The words "administer", "controlled substances", and "ultimate user", shall have the same meaning as set forth in Miss. Code Ann. §41-29-105, unless the context otherwise requires.

(2) The word "board" shall mean the Mississippi Board of Nursing.

(3) The word "prescribe" shall mean to designate or order by means of either a written or oral prescription, the delivery of a controlled substance or legend drug to an ultimate user.

(4) The word "distribute" shall mean to deliver a non-controlled ~~pre-packed~~ pre-packaged device, medication or manufacturer's starter pack, other than by administration or prescription, to a patient for whom the nurse practitioner has prescribed such device or medication in accordance with the nurse practitioner's Board of Nursing approved protocol.

(5) The words "prescription drug" or "legend drug" shall mean a drug required under federal law to be labeled with the following statement prior to being dispensed or delivered; "Caution Federal law prohibits dispensing without prescription," or a drug which is required by any applicable federal or state law or regulation to be dispensed on prescription only or is restricted to use ~~by physicians~~ only by those authorized to prescribe.

c. REGISTRATION FOR CONTROLLED SUBSTANCES CERTIFICATE PRESCRIPTIVE AUTHORITY:

(1) Every nurse practitioner authorized to practice in Mississippi who prescribes any controlled substance within Mississippi or who proposes to engage in the prescribing of any controlled substance within Mississippi must be registered with the U.S. Drug Enforcement Administration in compliance with Title 21 CFR Part 1301 Food and Drugs.

(2) Pursuant to authority granted in Miss. Code Ann. §41-29-125, the Mississippi Board of Nursing hereby adopts, ~~in lieu of a separate registration~~ in addition to required regulations with the Board, the registration with the U.S. Drug Enforcement Administration as required in Sub-paragraph A (1) above. In the event, however, a nurse practitioner has had limitations or other restrictions placed upon his license wherein he is prohibited from handling controlled substances in any or all schedules, said nurse practitioner shall be prohibited from registering with the U.S. Drug Enforcement Administration for a Uniform Controlled Substances Registration Certificate without first being expressly authorized to do so by order of the Mississippi Board of Nursing.

(3) Persons registered to prescribe controlled substances may order, possess, prescribe, administer, distribute or conduct research with those substances to the extent authorized by their registration and in conformity with the other provisions of these regulations and in conformity with provisions of the Mississippi Uniform Controlled Substances Law, Miss. Code Ann. §41-29-101 et seq.

d. MAINTENANCE OF PATIENT RECORDS:

(1) Patient Record. A nurse practitioner who prescribes a controlled substance shall maintain a complete record of his examination, evaluation and treatment of the patient which must include documentation of the diagnosis and reason for prescribing controlled substances; the name, dose, strength, quantity of the controlled substance, and the date that the controlled substance was prescribed. The record required by this subsection shall be maintained in the patient's medical records, provided that such medical records are maintained at the practice site of the nurse practitioner and are available for inspection by the representatives of the Mississippi Board of Nursing pursuant to authority granted in Miss. Code Ann. §41-29-125 (Supp. 1986). The MS Board of Nursing has the authority to conduct random audits of patient records at practice sites where those nurse practitioners have protocols allowing for prescribing of controlled substances.

(2) No nurse practitioner shall prescribe any controlled substance or other drug having addiction-forming or addiction-sustaining liability without a good faith prior examination and medical indication therefore.

(3) A nurse practitioner shall not sell or trade any medication which he receives as prepackaged samples or starter packs, whether or not said samples are controlled substances, legend drugs or other medication.

(4) The Patient Record required by these regulations shall be maintained in the office of the nurse practitioner for a period of seven (7) years from the date that the record is completed or the controlled substances, legend drugs or other medications are prescribed and shall be made available for inspection by representatives of the Mississippi Board of Nursing pursuant to authority granted in Miss. Code Ann. §41-29-125 (Supp. 1986).

e. USE OF DIET MEDICATION:

(1) As to the prescription of controlled substance anorectics in Schedules II, III, IV and V, use of said medications in the treatment of obesity or weight loss should be done with caution. A nurse practitioner may prescribe said medications for the purpose of weight loss in the treatment of obesity only as an adjunct to a regimen of weight reduction based on caloric restriction, provided, that all of the following conditions are met:

(a) Before initiating treatment utilizing a Schedule ~~II~~ III, IV or V controlled substance, the nurse practitioner determines through review of his own records of prior treatment, or through review of the records of prior treatment which a treating physician or weight-loss program has provided to the nurse practitioner, that the patient has made a substantial good-faith effort to lose weight in a treatment program utilizing a regimen of weight reduction based on caloric restriction, nutritional counseling, behavior modification, and exercise, without the utilization of controlled substances, and that said treatment has been ineffective.

(b) Before initiating treatment utilizing a Schedule ~~II~~ III, IV or V controlled substance the nurse practitioner obtains a thorough history, performs a thorough physical examination of the patient, and rules out the existence of any recognized contraindications to the use of the controlled substance to be utilized. "Recognized contraindication" means any contraindication to the use of a drug which is listed in the United States Food and Drug Administration (hereinafter, "F.D.A.") approved labeling for the drug.

(c) The nurse practitioner shall not utilize any Schedule ~~II~~ III, IV or V controlled substance when he knows or has reason to believe that a recognized contraindication to its use exists.

(d) The nurse practitioner shall not utilize any Schedule ~~II~~ III, IV or V controlled substance in the treatment of a patient whom he knows or should know is pregnant.

(e) As to those controlled substances in Schedules ~~II~~ III, IV or V which are classified as amphetamine or amphetamine-like anorectics and/or central nervous system stimulants, hereinafter referred to as "stimulant", the ~~physician~~ nurse practitioner shall not initiate or shall discontinue utilizing said controlled substance stimulant immediately upon ascertaining or having reason to believe:

(i) That the patient has failed to lose weight while under treatment with said stimulant over a period of thirty (30) days, which determination shall be made by weighing the patient at least every thirtieth (30th) day, except that a patient who has never before received treatment for obesity utilizing a stimulant, and who fails to lose weight during his first such treatment attempt may be treated with a different controlled substance for an additional thirty (30) days, or

(ii) That the patient has developed tolerance (a decreasing contribution of the drug toward further weight loss) to the anorectic effects of said stimulant being utilized, or

(iii) That the patient has a history of or shows a propensity for alcohol or drug abuse, or

(iv) That the patient has consumed or disposed of any controlled substance other than in strict compliance with the treating nurse practitioner directions.

In addition to the above, the nurse practitioner shall not issue a prescription for a stimulant for any greater than a thirty-day supply; and a patient's use of stimulants by prescription shall be limited to no more than two (2) additional thirty-day supplies during any twelve-month period of time. For the purposes of this paragraph, a twelve-month period would be considered to begin on the ~~day immediately following the end of the second thirty-day supply~~ first day of the initial 30-day supply.

(f) As to all other legend drugs or controlled substances in Schedules II, III, IV and V which are not considered stimulants but which have received FDA approved indication for long term use for weight loss, the nurse practitioner shall prescribe said medications in strict compliance with the FDA-approved labeling. In addition to the requirements enumerated at sub-paragraphs (i) through (iv) above, each prescription shall be issued for no more than a total of three months supply (including refills) and further, before subsequent new prescriptions can be issued the patient shall receive a thorough reevaluation of the effectiveness of the medication, including a physical examination to document any potential harmful side effects.

(2) A nurse practitioner shall not utilize a Schedule II, III, IV or V controlled substance or legend drug for purposes of weight loss unless it has an F.D.A. approved indication for this purpose and then only in accordance with all of the above enumerated conditions. The purpose of this rule is to prohibit the use of such drugs as diuretics and thyroid medications for the sole purpose of weight loss.

f. DRUG MAINTENANCE, LABELING AND DISTRIBUTION REQUIREMENTS:

(1) Nurse practitioners may not receive samples of controlled substances. A nurse practitioner may receive and distribute pre-packaged medications or samples of non-controlled substances for which the nurse practitioner has prescriptive authority.

(2) A nurse practitioner must personally distribute the medication. For the purpose of this regulation, "personally distribute" shall mean the nurse practitioner must actually obtain the pre-packaged medication and hand it to the patient or the patient's authorized agent.

(3) All drug products which are maintained/stored in the office of a nurse practitioner, shall be maintained/stored in the manufacturer's or re-packer's original package. The label of any container in which drugs are maintained must bear the drug name, strength, the manufacturer's control lot number and the expiration date. Drugs which are pre-counted and pre-packaged for purposes of distributing shall be identifiable as to expiration date and manufacturer's control lot number. The packages in which drug products are maintained shall not be labeled in any false or misleading manner. The labeling requirements of this Article Section are in addition to, and not in lieu of, other labeling requirements of the laws of the State of Mississippi, Rules and Regulations of the Mississippi State Board of Nursing, and laws of the United States or Federal Regulations.

(4) A nurse practitioner shall not distribute out-of-date pre-packaged samples or store out-of-date pre-packaged samples intermixed with the stock of current pre-packaged samples. Out-of-date pre-packaged samples shall be promptly removed from current stock and stored separately until proper disposal shall be made. ~~A nurse practitioner,~~ When distributing a product in a manufacturer's original package or container, the labeling of which bears an expiration date, a manufacturer's control lot number or other information which may be of value to the patient, ~~the nurse practitioner~~ shall distribute the product with this information intact.

(5) The drug storage area shall be maintained in a sanitary fashion.

(6) A nurse practitioner shall not accept the return for subsequent resale or exchange any drugs after such items have been taken from the premises where sold, distributed and from the control of the nurse practitioner.

(7) All drug products shall be maintained, stored and distributed in such a manner as to maintain the integrity of the product.

g. PRESCRIPTION REGULATION - CONTROLLED SUBSTANCES:

(1) It is the ultimate responsibility of the nurse practitioner who is authorized to prescribe controlled substances to determine the type, dosage form, frequency of application and number of refills of controlled substances prescribed to a patient. This responsibility must never be delegated to any other personnel.

(2) The following requirements apply to all prescriptions for controlled substances:

(a) All prescriptions for controlled substances must be written in strict compliance with Miss. Code Ann. §41-29-101 through §41-29-311 as amended and Title 21 of U.S. Code of Federal Regulations, Part 1306.

(b) On all prescriptions of controlled substances II, III, IV and V wherein refills are permitted, nurse practitioners shall indicate the appropriate refills, not to exceed five (5) or mark "none."

(c) Each nurse practitioner shall insure that the complete name and address of the patient to whom the nurse practitioner is prescribing the controlled substance appear on the prescription.

(d) A nurse practitioner shall not permit any prescription for controlled substances to be signed by any other person in the place of or on behalf of the nurse practitioner.

(e) A nurse practitioner shall not pre-sign blank prescription pads or order forms under any circumstances.

(f) A nurse practitioner shall not utilize blank prescription pads or order forms upon which the signature of the nurse practitioner or controlled substance prescribed ~~have~~ **has** been mechanically or photostatically reproduced. This prohibition includes the telefaxing or e-mailing of any controlled substance prescription.

(g) No more than one (1) controlled substance shall be issued on a single prescription blank.

h.. PRESCRIPTION GUIDELINES - ALL MEDICATIONS:

(1) In addition to any other requirements set forth in these regulations pertaining to the issuance of prescriptions of controlled substances, the following additional requirements apply to all prescriptions, whether or not said prescriptions are for controlled substances, legend drugs or any other medication:

(a) Every written prescription delivered to a patient, or delivered to any other person on behalf of a patient, must be manually signed on the date of issuance by the nurse practitioner. This does not prohibit, however, the transmission of electronically telefaxed (but not E-Mail) prescriptions for non-controlled drugs to the pharmacy of the patient's choice. Such telefaxed prescriptions shall bear the signature of the prescribing nurse practitioner and shall be issued in accordance with all other provisions of this section. No prescriptions for brand name or generic equivalents of Nalbuphine Hcl, Carisoprodol, Butalbital compounds, or Tramadol Hcl shall be telefaxed.

~~2. All prescriptions shall be written on duplicate prescription forms, with one copy maintained in the patient's medical record.~~

(b) All prescriptions shall be on forms containing two lines for the nurse practitioner's signature. There shall be a signature line in the lower right hand corner of the prescription form beneath which shall be clearly imprinted the words "substitution permissible." There shall be a signature line in the lower left corner of the prescription form beneath which shall be clearly imprinted the words "dispense as written." The nurse practitioner's signature on either signature line shall validate the prescription and designate approval or disapproval of product selection.

(c) ~~If the nurse practitioner uses a prescription form which does not contain two signature lines required in subsection 1 of this Article is utilized by the nurse practitioner,~~ **above, he shall write in his own handwriting the words "dispense as written" there upon to prevent product selection.**

(d) Every written prescription issued by a nurse practitioner for a legend drug should clearly state whether or not the prescription should be refilled, and if so, the number of authorized refills and/or the duration of therapy. Nurse practitioners should avoid issuing prescriptions refillable on "prn" basis. If a nurse practitioner chooses to issue a prescription refillable "prn", the life of the prescription or time limitation must clearly be set forth on the prescription. In no case shall a prescription which is refillable on a "prn" basis be refilled after the expiration of one (1) year. Regardless of whether a prescription is refillable on a "prn" basis or the prescription expressly states the number of authorized refills, the use of said medication should be re-evaluated on at least an annual basis. Upon the expiration of one (1) year, a prescription becomes invalid, regardless of the number of refills indicated or "prn" designation. Thereafter, a new prescription, if indicated, must be issued.

Every written prescription issued by a nurse practitioner, bearing more than one non-controlled medication, shall clearly indicate the intended refill instructions for each medication. Lack of clearly indicated refill instructions prohibit the refilling of the medications. All unused lines on a multi-line prescription blank shall be clearly voided by the issuing nurse practitioner.

(e) A prescription shall no longer be valid after the occurrence of any one of the following events:

- (i) Thirty (30) days after the death of the issuing nurse practitioner;
 - (ii) Thirty (30) days after the issuing nurse practitioner has moved or otherwise changed the location of his practice so as to terminate the nurse practitioner/patient relationship. Termination of the nurse practitioner/patient relationship results when a patient is no longer able to seek personal consultation or treatment from the issuing nurse practitioner;
 - (iii) Insofar as controlled substances are concerned, immediately after loss of D.E.A. Controlled Substances Privilege by the issuing nurse practitioner; or
 - (iv) Immediately after revocation, suspension or surrender of the nurse practitioner's authorization to practice.
- (f) **A nurse practitioner shall not permit any prescription for ~~controlled substances~~ to be signed by any other person in the place of or on behalf of the nurse practitioner.**
- (g) **A nurse practitioner shall not pre-sign blank prescription pads or order forms under any circumstances.**
- (h) **A nurse practitioner shall not utilize blank prescription pads or order forms upon which the signature of the nurse practitioner or ~~controlled substance~~ medication prescribed have been mechanically or photostatically reproduced. This prohibition includes the telefaxing or e-malling of any ~~controlled substance~~ prescription.**

i. FREEDOM OF CHOICE:

(1) A nurse practitioner shall not be influenced in the prescribing of drugs, devices or appliances by a direct or indirect financial interest in a pharmaceutical firm, pharmacy or other supplier. Whether the firm is a manufacturer, distributor, wholesaler, or re-packager of the product involved is immaterial. Reputable firms rely on ~~the~~ quality and ~~the~~ efficacy to sell their products under competitive circumstances and do not appeal to nurse practitioners to have financial involvements with the firm in order to influence their prescribing, ~~administration~~ administering or distributing.

(2) A nurse practitioner may own or operate a pharmacy if there is no resulting exploitation of patients. A nurse practitioner shall not give a patient prescriptions in code or enter into agreements with pharmacies or other suppliers regarding the filling of prescriptions by code. Patients are entitled to the same freedom of choice in selecting who will fill their prescription needs as they are in the choice of a nurse practitioner. The prescription is a written direction for a therapeutic or corrective agent. A patient is entitled to a copy of the nurse practitioner's prescription for drugs or other devices as required by the principles of medical ethics. The patient has a right to have the prescription filled wherever the patient wishes. Where medication is to be distributed or a prescription, excluding refills, called in to a pharmacist for medication, a nurse practitioner shall inform each patient of that patient's right to a written prescription and the right to have the prescription filled wherever the patient wishes.

(3) Patients have an ethically and legally recognized right to prompt access to the information contained in their individual medical records. The prescription is an essential part of the patient's medical record. If a patient requests a written prescription in lieu of an oral prescription, this request shall be honored. Nurse practitioners shall not discourage patients from requesting a written prescription or urge, suggest or direct in any manner that a patient fill a prescription at an establishment which has a direct telephone line or which has entered into a business or other preferential arrangement with the nurse practitioner with respect to the filling of the nurse practitioner's prescriptions.

j. OTHER DRUGS HAVING ADDICTION-FORMING LIABILITY:

All nurse practitioners shall maintain patient records in the same format as that required by ~~Article IV Section 2.4 d.~~ when administering or distributing the drug Nalbuphine Hydrochloride (Nubain) or its generic equivalent.

k. VIOLATION OF REGULATIONS:

A. The prescribing of any controlled substance in violation of the above rules and regulations shall constitute a violation of Miss. Code Ann. 73-15-29(1)(f),(k) and (l) and shall be grounds for disciplinary action.

B. The prescribing, ~~administering~~ administering or distributing of any legend drug or other medication in violation of the above rules and regulations shall constitute a violation of Miss Code Ann. 73-15-29(1)(f),(k) and (l), and shall be grounds for disciplinary action.

l. EFFECTIVE DATE OF REGULATIONS:

The above rules and regulations pertaining to prescribing, ~~administration~~ administering and distributing of medication shall become effective July 1, 2002.

COLLABORATION

TO BE ADDED TO DEFINITIONS

CHAPTER VI. DEFINITIONS

4. **Collaboration**

A Mississippi Board of Nursing recognized relationship between the nurse practitioner and a physician with an unrestricted license to practice medicine in the state of Mississippi. This relationship must be documented in a protocol that is mutually agreed upon by the physician and the nurse practitioner and approved by the Board of Nursing. Collaboration, consultation, and/or referral shall be documented in the patient's medical record.

In accordance with the purpose of the Mississippi Board of Nursing, the Board shall have the authority to inspect all records maintained by the nurse practitioner and related to the nurse practitioner's practice.

ALL DEFINITIONS FOLLOWING COLLABORATION WILL BE RENUMBERED

QUALITY IMPROVEMENT

TO BE ADDED TO CHAPTER IV. ADVANCED PRACTICE

- 2.3, c., (5) Each collaborative/consultative relationship shall include and implement a formal quality improvement program which shall be maintained on site and shall be available for inspection by representatives of the Mississippi Board of Nursing.

EDUCATION
(INITIAL AND ONGOING)

TO BE ADDED TO CHAPTER IV. ADVANCED PRACTICE

- 2.1, a., (7) Nurse practitioner applicants applying for controlled substance prescriptive authority must complete a Board approved educational program prior to making application.
- 2.1, b., (8) Nurse practitioner applicants applying for controlled substance prescriptive authority must complete a Board approved educational program prior to making application.
- 2.1, c., (3) Documentation of at least forty (40) contact hours (four [4] continuing education units) related to the advanced clinical practice of the nurse practitioner which have been obtained within the previous two (2) year period. **Two (2) of the forty (40) contact hours must be directly related to the prescribing of controlled substances and approved by the Board.** No more than 20 contact hours may be obtained from nurse practitioner or medical journals; and
- 2.1, d., (5) Documentation of at least forty (40) contact hours (four [4] continuing education units) related to the advanced clinical practice of the nurse practitioner which have been obtained within the previous two (2) year period. **Two (2) of the forty (40) contact hours must be directly related to the prescribing of controlled substances and approved by the Board.** No more than 20 contact hours may be obtained from nurse practitioner or medical journals; and

ADDITIONS TO 2.3, c., (3)

2.3, c., (3) Nurse practitioners may not write prescriptions for, dispense or order the use of or administration of any schedule of controlled substances except as follows **or as outlined in Section 2.4:**

STATE OF MISSISSIPPI

COUNTY OF HINDS

**SECOND ADDENDUM TO
RECOVERING PHYSICIANS PROGRAM
MEMORANDUM OF UNDERSTANDING**

THIS ADDENDUM to Memorandum of Understanding is made and entered into this the 21st day of February, 2002, by and between the **Mississippi State Board of Medical Licensure**, hereinafter the "BOARD," the **Mississippi State Medical Association**, hereinafter the "MSMA," and the **Mississippi Impaired Physicians Committee**, hereinafter the "MIPC,"

WHEREAS, on July 1, 1998, the BOARD, MSMA, and MIPC entered into a Memorandum of Understanding to establish, maintain, and carry out an impaired physicians program as authorized by the Disabled Physicians Law, Miss. Code Ann., Section 73-25-55; and

WHEREAS, the BOARD also has the authority, pursuant to Chapter 27, Title 73, Miss. Code Ann. (1972), to license and credential individuals seeking to practice Podiatry in the State of Mississippi; and

WHEREAS, it was and remains the desire of the undersigned to enable Podiatrists, who are "impaired" as that term is defined in the referenced Memorandum of Understanding, to receive adequate intervention, treatment, and rehabilitation on the same terms and conditions as the physicians; and

NOW, THEREFORE, in consideration of the foregoing recitals, the mutual promises and covenants contained herein, and for good and other valuable consideration the receipt of which is hereby acknowledged, the undersigned parties hereby agree that from and after this date, those individuals licensed to practice Podiatry shall be included in all activities of the MRPP and MIPC and receive the same benefits of intervention, evaluation, treatment, rehabilitation, and advocacy, on the same terms and conditions as received by Impaired Physicians pursuant to the aforementioned Memorandum of Understanding.

IN WITNESS WHEREOF, the parties acknowledge their intent to be bound by this memorandum by affixing their signatures herein below.

MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

By: W. Joseph B. [Signature]
Director

MISSISSIPPI STATE MEDICAL ASSOCIATION

By: [Signature]
Executive Director

MISSISSIPPI IMPAIRED PHYSICIANS COMMITTEE

By: [Signature]
Medical Director

XXIV. OFFICE BASED SURGERY REGULATIONS

A. SCOPE

This regulation sets forth the policies of the Mississippi State Board of Medical Licensure regarding office based surgery rendered by individuals licensed to practice medicine, osteopathic medicine and podiatric medicine in the State of Mississippi.

B. DEFINITIONS

1. For the purpose of Article XXIV only, the following terms have the meanings indicated:
 - a. "Surgery" is defined as any operative procedure, including the use of lasers, performed upon the body of a living human being for the purposes of preserving health, diagnosing or curing disease, repairing injury, correcting deformity or defects, prolonging life, relieving suffering or any elective procedure for aesthetic, reconstructive or cosmetic purposes, to include, but not be limited to: incision or curettage of tissue or an organ; suture or other repair of tissue or organ, including a closed as well as an open reduction of a fracture; extraction of tissue including premature extraction of the products of conception from the uterus; insertion of natural or artificial implants; or an endoscopic procedure ~~with use of local, general anesthetic, or intravenous sedation. The use of local, general, or topical anesthesia and/or intravenous sedation is the prerogative of the surgeon.~~
 - b. "Surgeon" is defined as a licensed physician performing any procedure included within the definition of surgery.
 - c. Implicit within the use of the term of "equipment" is the requirement that the specific item named must meet current performance standards.
 - d. "Office surgery" is defined as surgery which is performed outside a hospital, an ambulatory surgical center, abortion clinic, or other medical facility licensed by the Mississippi State Department of Health or a successor agency. Physicians performing Level I or Level III office based surgery must

register with the Mississippi State Board of Medical Licensure. A copy of the registration form is attached hereto.

- c. ~~"Adverse incident"~~ A "Surgical Event" for the purpose of this regulation is recognized as a potentially harmful or life-threatening episode related to either the anesthetic or the surgery. ~~Adverse incidents~~ Any ~~"Surgical Event"~~ in the immediate peri-operative period that must be reported are those which are life-threatening, or require special treatment, or require hospitalization, including, but not limited to the following: (1) serious cardiopulmonary or anesthetic events; (2) major anesthetic or surgical complications; (3) temporary or permanent disability; (4) coma; or (5) death.

C. GENERAL REQUIREMENTS FOR OFFICE SURGERY

1. For all surgical procedures, the level of sterilization shall meet current OSHA requirements.
2. The surgeon must maintain complete records of each surgical procedure, including anesthesia records, when applicable and the records ~~on all Level II and Level III cases~~ shall contain written informed consent from the patient reflecting the patient's knowledge of identified risks, consent to the procedure, type of anesthesia and anesthesia provider, ~~and that a choice of anesthesia provider exists, i.e., anesthesiologist, another appropriately trained physician, as provided in this regulation, or certified registered nurse anesthetist.~~
3. The surgeon must maintain a log of all Level II and Level III surgical procedures performed, which must include a confidential patient identifier, the type of procedure, the type of anesthesia used, the duration of the procedure, the type of post-operative care, and any ~~adverse incidents/Surgical Events~~. The log and all surgical records shall be provided to investigators of the Mississippi State Board of Medical Licensure upon request.
4. In any liposuction procedure, the surgeon is responsible for determining the appropriate amount of supernatant fat to be removed from a particular patient. Using the tumescent method of liposuction, it is strongly recommended that a reasonable amount of fat should be removed in the office setting, i.e., a range of 4000cc to 5000cc of supernatant fat is a 70 Kg patient with a BMI (body mass index) of less than 30. This range should be adjusted downward in thin patients (less than 25 BMI) and upward in obese patients (over 30 BMI). Morbidly obese patients should preferably be done in the hospital setting.

5. A policy and procedure manual must be maintained in the office and updated annually. The policy and procedure manual must contain the following: duties and responsibilities of all personnel, cleaning and infection control, and emergency procedures. This shall not apply to offices that limit surgery to Level I procedures.
6. The surgeon shall report to the Mississippi State Board of Medical Licensure any ~~adverse incidents~~ Surgical Events that occur within the office based surgical setting. This report shall be made within 15 days after the occurrence of an ~~incident a~~ Surgical Event. ~~Report shall include outpatient operative records and anesthesia records. A suggested form for reporting is attached hereto. The filing of a report of Surgical Event as required by this section does not in and of itself constitute an acknowledgment or admission of malpractice, error, or omission. Upon receipt of the report, the Board may, in its discretion, obtain patient and other records pursuant to authority granted in Miss. Code Ann. Section 73-25-28.~~
7. ~~The surgeon's office must have a written response plan for emergencies within their facility.~~
8. ~~In offices where Level I and Level III office based surgery is performed, A~~ a sign must be prominently posted in the office which states that the office is a doctor's office regulated pursuant to the rules and regulations of the Mississippi State Board of Medical Licensure. This notice must also appear prominently within the required patient informed consent.
9. It is strongly recommended that the American Society of Anesthesiologists' *Guidelines for Office-Based Anesthesia* be utilized for Level III procedures.

D. LEVEL I OFFICE SURGERY

1. **Scope.** Level I office surgery includes, but not limited to, the following:
 - a. Minor procedures such as excision of skin lesions, moles, warts, cysts, lipomas, LEEP, laser cone of cervix, laser/cautery ablation of warts or other lesions, and repair of lacerations or surgery limited to the skin and subcutaneous tissue performed under topical or local anesthesia not involving drug-induced alteration of consciousness.

- b. Incision and drainage of superficial abscesses, limited endoscopies such as proctoscopies, flexible sigmoidoscopies, hysteroscopies, skin biopsies, arthrocentesis, paracentesis, dilation of urethra, cysto-scopic procedures, and closed reduction of simple fractures or small joint dislocations (i.e., finger and toe joints).
- c. Pre-operative medications not required or used other than minimal pre-operative tranquilization of the patient; anesthesia is local, topical, or none. No drug-induced alteration of respiratory effort or consciousness other than minimal pre-operative tranquilization of the patient is permitted in Level I Office Surgery.
- d. Chances of complication requiring hospitalization are remote.

2. Standards for Level I Office Surgery

- a. **Training Required.** Surgeon's continuing medical education should include: proper dosages; and management of toxicity or hypersensitivity to regional anesthetic; drugs. Basic Life Support Certification is ~~recommended but not~~ required.
- b. **Equipment and Supplies Required.** ~~Oxygen, Oral Airway,~~ positive pressure ventilation device, Epinephrine (or other vasopressor), Corticoids, Antihistamine and Atropine, if any anesthesia is used. ~~The equipment and supplies should reflect the patient population, site, medications etc.~~
- c. **Assistance of Other Personnel Required.** No other assistance is required, unless the specific surgical procedure being performed requires an assistant.

E. LEVEL II OFFICE SURGERY

1. Scope

- a. Level II Office Surgery is that in which peri-operative medication and sedation are used orally, intravenously, intramuscularly, or rectally, thus making intra and post-operative monitoring necessary. Such procedures shall include, but not be limited to: hernia repair, hemorrhoidectomy, reduction of simple fractures, large joint dislocations, breast biopsies, dilatation and curettage, thoracentesis, and colonoscopy.

- b. Level II Office surgery includes any surgery in which the patient is placed in a state which allows the patient to tolerate unpleasant procedures while maintaining adequate cardiorespiratory function and the ability to respond purposefully to verbal command and/or tactile stimulation. Patients whose only response is reflex withdrawal from a painful stimulus are sedated to a greater degree than encompassed by this definition.
 - c. Any procedures that may yield an excessive loss of blood should be covered under Level II.
- 2. **Transfer Agreement Required.** The surgeon must have a written transfer agreement from a licensed hospital within reasonable proximity if the surgeon does not have staff privileges to perform the same procedure as that being performed in the office based surgical setting at a licensed hospital within reasonable proximity.
- 3. **Level of Anesthetic.** Local or peripheral major nerve block, including Bier Block, plus intravenous or intramuscular sedation, but with preservation of vital reflexes.
- 4. **Training Required.** ~~The surgeon must be credentialed by a group of his peers at the local hospital and must have privileges at that hospital to perform the same procedure as that being performed in the office based surgical setting.~~ ~~For office based surgical setting surgery, the physician or~~ must be able to document satisfactory completion of surgical training such as Board certification or Board eligibility by a Board approved by the American Board of Medical Specialties or American Board of Osteopathic Specialties. ~~Alternative credentialing for procedures outside the physician's core curriculum must be applied for through Mississippi State Board of Medical Licensure and reviewed by a multi-specialty board appointed by the Director.~~ The surgeon and one attending assistant must be certified in Basic Life Support. It is recommended that the surgeon and at least one assistant be certified in Advanced Cardiac Life Support or have a qualified anesthetic provider, practicing within the scope of the provider's license, manage the anesthetic.
- 5. **Equipment and Supplies Required**
 - a. **Full and current crash cart at the location the anesthetizing is being carried out.** The crash cart must include, at a minimum, the following resuscitative medications, or other resuscitative medication subsequently marketed and available after initial adoption of this regulation, provided said

medication has the same FDA approved indications and usage as the medications specified below:

1. adrenalin (epinephrine) Abboject 1mg-1:10,000; 10ml
2. adrenalin (epinephrine) ampules 1mg-1:1000; 1ml
3. atropine Abboject 0.1mg/ml; 5ml
4. benadryl (diphenhydramine) syringe 50mg/ml; 1ml
5. calcium chloride Abboject 10%; 100mg/ml; 10ml
6. dextrose Abboject 50%; 25g/50ml
7. dilantin (phenytoin) syringe 250mg/5ml
8. dopamine 400mg/250ml pre-mixed
9. heparin 10,000 units/ml; 1 ml vial
10. inderal (propranolol) 1mg/ml; 1 ml ampule
11. isuprel (isoproterenol) 1mg/5ml; 1:5000 ampule
12. lanoxin (digoxin) 0.5 mg/2ml ampule
13. lasix (furosemide) 40 mg/4ml vial
14. lidocaine Abboject 2%; 100mg/5ml
15. lidocaine 2 grams/500ml pre-mixed
16. magnesium sulfate 50%; 20ml vial (1g/2ml)
17. narcan (naloxone) 0.4mg/ml; 1ml ampule
18. pronestyl (procainamide) 100mg/ml; 10ml vial
19. sodium bicarbonate Abboject 50mEq/50ml
20. solu-medrol (methylprednisolone) 125mg/2ml vial
21. verapamil syringe 5mg/2ml
22. romazicon 5ml or 10 ml (0.1mg/ml)

~~The above dosage levels may be adjusted, depending on ages of the patient population.~~

- b. Suction devices, endotracheal tubes, laryngoscopes, etc.
- c. Positive pressure ventilation device (e.g., Ambu) plus oxygen supply.
- d. Double tourniquet for the Bier Block procedure.
- e. Monitors for blood pressure/EKG/Oxygen saturation and portable approved defibrillator.
- f. Emergency intubation equipment.
- g. Adequate operating room lighting.
- h. Emergency power source able to produce adequate power to run required equipment for a minimum of two (2) hours, which would require generator on site.

i. Appropriate sterilization equipment

j. IV solution and IV equipment.

6. Assistance of Other Personnel Required. ~~The surgeon must be A&S certified and may be assisted by a qualified anesthesia provider as follows: an anesthesiologist or certified registered nurse anesthetist as the surgeon and at least one attending assistant must be certified in Basic Life Support. It is recommended that the surgeon and at least one assistant be certified in Advanced Cardiac Life Support. A registered nurse may only administer analgesic doses of anesthetic agents under the direct order of a physician. An assisting anesthesia provider cannot function in any other capacity during the procedure. If additional assistance is required by the specific procedure or patient circumstances, such assistance must be provided by a physician, registered nurse, licensed practical nurse, or operating room technician. A licensed physician, a licensed registered nurse with post-anesthesia care unit experience or the equivalent, credentialed in Advanced Cardiac Life Support or, in the case of pediatric patients, Pediatric Advanced Life Support, must be available to monitor the patient in the recovery room until the patient is recovered from anesthesia.~~ Surgeon must have a written agreement with a qualified support physician with hospital privileges within reasonable proximity to cope with any problems that may arise if the surgeon performing the procedure does not have such privileges.

F. LEVEL III OFFICE SURGERY

1. Scope

- a. Level III Office Surgery is that surgery which involves, or reasonably should require, the use of a general anesthesia or major conduction anesthesia and pre-operative sedation. This includes the use of:
- (1) Intravenous sedation beyond that defined for Level II office surgery;
 - (2) General Anesthesia: loss of consciousness and loss of vital reflexes with probable requirement of external support of pulmonary or cardiac functions; or
 - (3) Major Conduction anesthesia.

b) Only patients classified under the American Society of Anesthesiologist's (ASA) risk classification criteria as Class I, II, or III are appropriate candidates for Level III office surgery. For ASA Class III patients, the surgeon must document in the patient's record the justification and precautions that make the office an appropriate forum for the particular procedure to be performed.

c. ~~Level III Office Surgery would include liposuction. Using the tumescent method of liposuction, it is strongly recommended that a reasonable amount of fat should be removed in the office setting, i.e., a range of 4000cc to 5000cc of supernatant fat in a 70 Kg patient with a BMI (body mass index) of less than 30. This range should be adjusted downward in thin patients (less than 25 BMI) and upward in obese patients (over 30 BMI). Morbidly obese patients should preferably be done in the hospital setting.~~

2. ~~Hospital Staff Privileges Required. The surgeon must be credentialed by a group of his peers at a licensed hospital within reasonable proximity and must have privileges at that hospital to perform the same procedure as that being performed in the office based surgical setting. Transfer Agreement Required. The surgeon must have a written transfer agreement from a licensed hospital within reasonable proximity if the surgeon does not have staff privileges to perform the same procedure as that being performed in the office based surgical setting at a licensed hospital within reasonable proximity.~~

3. Level of Anesthetic

1. General Anesthetic: loss of consciousness and loss of vital reflexes with probable requirement of external support of pulmonary or cardiac functions.
2. Major Conduction: epidural, spinal, caudal.

4. Training Required

a. ~~Surgeon must have documentation of training to perform the particular surgical procedures and must have knowledge of the principles of general anesthesia. To perform office based surgery, the physician must be able to document satisfactory completion of surgical training such as Board certification or Board eligibility by a Board approved by the American Board of Medical Specialties or American Board of Osteopathic Specialties. Alternative credentialing for procedures outside~~

the physician's core curriculum must be applied for through Mississippi State Board of Medical Licensure and reviewed by a multi-specialty board appointed by the Director.

- b. The surgeon and at least one attending assistant must be certified in Basic Life Support. It is recommended that the surgeon and at least one assistant be certified in Advanced Cardiac Life Support.
- c. Emergency procedures related to serious anesthesia complications should be formulated, periodically reviewed, practiced, updated, and posted in a conspicuous location.

5. **Equipment and Supplies Required**

- a. Equipment, medication, including at least 12 ampules of dantrolene on site (in cases involving general inhalation or general endotracheal anesthesia), and monitored post-anesthesia recovery must be available in the office.
- b. The office, in terms of general preparation, equipment, and supplies, must be comparable to a free standing ambulatory surgical center, including, but not limited to, recovery capability, and must have provisions for proper record keeping.
- c. Blood pressure monitoring equipment; EKG; end tidal CO2 monitor; pulse oximeter, precordial or esophageal stethoscope, emergency intubation equipment and a temperature monitoring device.
- d. Table capable of trendelenburg and other positions necessary to facilitate the surgical procedure.
- e. IV solutions and IV equipment.
- f. All equipment and supplies listed under Level II (E-5).

6. **Assistance of Other Personnel Required.** An anesthesiologist or certified registered nurse anesthetist must administer the general or regional anesthesia and a physician, registered nurse, licensed practical nurse, or operating room technician must assist with the surgery. The anesthesia provider cannot function in any other capacity during the procedure. A licensed physician or a licensed registered nurse with post-anesthesia care unit experience or the equivalent, and credentialed in Advanced Cardiac Life Support, or in the case of pediatric patients, Pediatric Advanced Life Support, must

be available to monitor the patient in the recovery room until the patient has recovered from anesthesia.

G. EFFECTIVE DATE OF REGULATION

The above rules and regulations pertaining to Office Based Surgery shall become effective ~~September 1, 2001~~ **June 1, 2002**.

Adopted June 14, 2001; amended February 21, 2002.

OFFICE BASED SURGERY REGISTRATION FORM
 (For Levels II and III only)

PLEASE PRINT IN INK OR TYPE

<u>Last Name</u>	<u>Middle</u>	<u>First</u>	<u>MS License Number</u>
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Indicate how credentialed: Board certification Alternative credentialing

Explain: _____

<u>Primary surgical practice location</u> <u>List physical addresses of all locations</u>	<u>Surgical Level</u> <u>(I-III)</u>
1.	
2.	
3.	

List procedures to be performed in office

Additional locations and procedures may be listed on separate paper

<u>Signature</u>	<u>Date</u>
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RETURN BY MAIL TO:
 Mississippi State Board of Medical Licensure
 Post Office Box 9268
 Jackson, MS 39286-9268

SURGICAL EVENT REPORT FORM

NOTE: Article XXIV of the Rules & Regulations of the Mississippi State Board of Medical Licensure requires surgeons to report any surgical event to the Board within 15 days of the event. A surgical event is recognized as a potentially harmful or life-threatening complication associated with the anesthetic or the surgery. Any surgical event in the immediate post-operative period that must be reported includes, but is not limited to: (1) serious cardiopulmonary or anesthetic events; or require special treatment, or require hospitalization, including, but not limited to the following: (1) serious cardiopulmonary or anesthetic events; (2) major anesthetic or surgical complications; (3) temporary or permanent disability; (4) coma; or (6) death.

Date and Time

Name of Person Filing the Report

Provider Information

Name of Physician

MS License #

Specialty

Board certified? Yes

No

Phone ()

Address

Surgical Event (Refer to patient by file number only)

Concerning Patient File Number

Age of patient

Male/Female

Name/Nature of Procedure(s)

Anesthesia/Analgesia (include dosages)

Nature of Surgical Event (e.g. anaphylaxis, syncope, infection, rash, etc.)

Patient Treatment of Event

Patient Outcome/Disposition

Hospitalized? Yes

No

Attach additional pages if required. DO NOT SEND PATIENT MEDICAL RECORDS

RETURN BY MAIL TO
Mississippi State Board of Medical Licensure
Rost Office Box 9268
Jackson, MS 39286-9268

APRIL 2002

**MINUTES
EXECUTIVE COMMITTEE MEETING
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
APRIL 17, 2002**

MEMBERS PRESENT:

Freda M. Bush, M.D., Jackson, President
Robert Ray Smith, M.D., Jackson, Vice President
Dewitt G. Crawford, M.D., Louisville, Secretary
W. Joseph Burnett, M.D., Director

ALSO PRESENT:

Charles Moses, Division Director II, Investigative Division
Rhonda Freeman, Division Director II, Licensure Division
Kathy Fortenberry, Administrative Assistant
Frances Scott, Special Projects Officer, Investigative Division

The Executive Committee of the Mississippi State Board of Medical Licensure met on Wednesday, April 17, 2002, at 4:10 p.m. in the Executive Conference Room of the Office of the Board located at 1867 Crane Ridge Drive, Jackson, Mississippi.

SECTION 73-25-28 - DETERMINATION OF REASONABLE CAUSE AND AUTHORITY TO INSPECT AND COPY RECORDS OF VAN LEMUEL LACKEY, M.D., JACKSON

In order for the Investigative Division to obtain records, the Executive Committee members reviewed an affidavit in support of a request for the inspection and copying of certain records pursuant to Miss. Code Ann. Section 73-25-28. Upon review of the affidavit and considering all matters, it was the finding of the Committee that reasonable cause existed to conduct the inspection, whereupon members of the Committee executed a Determination of Reasonable Cause and Authority to Inspect and Copy Records of Van Lemuel Lackey, M.D., Jackson.

SECTION 73-25-28 - DETERMINATION OF REASONABLE CAUSE AND AUTHORITY TO INSPECT AND COPY RECORDS OF JOHN PHILIP MLADINEO, M.D., JACKSON

In order for the Investigative Division to obtain records, the Executive Committee members reviewed an affidavit in support of a request for the inspection and copying of certain records pursuant to Miss. Code Ann. Section 73-25-28.

EXECUTIVE COMMITTEE MINUTES

April 17, 2002

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Upon review of the affidavit and considering all matters, it was the finding of the Committee that reasonable cause existed to conduct the inspection, whereupon members of the Committee executed a Determination of Reasonable Cause and Authority to Inspect and Copy Records of John Philip Mladineo, M.D., Jackson. Dr. Burnett explained that this was the second request on Dr. Mladineo, but that it was necessary in order to obtain exhibits referenced in earlier records.

PAM PITCHFORD, BOARD OF NURSING, TO DISCUSS SPECIALTY COMPATIBILITY QUESTIONS BETWEEN NURSE PRACTITIONERS AND PHYSICIANS

Pam Pitchford, Deputy Executive Director, Mississippi Board of Nursing, joined the meeting to discuss specialty compatibility between the physician and nurse practitioner. Ms. Pitchford stated that the protocol should not be approved if the specialties are not compatible. The Executive Committee members agreed that they should always be compatible.

BOARD OF NURSING REGULATIONS

Dr. Burnett asked Ms. Pitchford about the regulations pertaining to prescribing of controlled privileges for nurse practitioners. He again expressed concern about the educational requirements for nurse practitioners, as reflected in the February 21, 2002, Board Minutes. The regulations will be presented to the full Board on Thursday.

AMENDMENTS TO *SUPERVISION OF NURSE PRACTITIONERS*

The changes to the regulations pertaining to supervision of nurse practitioners, as approved by the Joint Committee, were discussed. Ms. Pitchford advised that these had not yet been presented to the Board of Nursing. She reiterated that she did not think this regulation had to be jointly promulgated by the two Boards. It was the consensus of the Executive Committee members to adopt with the changes.

SUPERVISION OF NURSE PRACTITIONER BY RETIRED PHYSICIAN

There had been some concern expressed by Board members about a retired physician supervising a nurse practitioner in Carthage. The Executive Committee and Ms. Pitchford agreed that a retired physician cannot supervise a nurse practitioner. The investigative staff will check on this particular situation.

EXECUTIVE COMMITTEE MINUTES

April 17, 2002

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WHAT IS THE PRACTICE OF MEDICINE

At their February 21, 2002, meeting, the Executive Committee members had asked that Dr. Burnett have Stan Ingram, Board Attorney, work on some legislation that would include diagnosis in §73-25-33, **Practice of medicine defined**. Dr. Burnett advised that Mr. Ingram was still working on this.

CLARIFICATION OF LICENSURE REGULATION

Mrs. Freeman asked for permission, which was granted by the Executive Committee members, to re-write the regulations, **Licensure by Examination** and **License by Reciprocity or Endorsement**. These will be merged and presented at a later meeting for adoption.

NONRESIDENT PHYSICIANS REGULATION

There have been some problems with §73-25-19, which allows nonresident physicians to come into the state for five days. Mrs. Freeman was asked at the February 21, 2002, Executive Committee meeting to develop a regulation to coincide with the Board's statute. Mrs. Freeman reviewed her regulation, which will be presented to the full Board on Thursday.

RENEWAL FEES

Dr. Burnett commented on House Bill 1317, which took one million dollars from the Board's funds, and advised that the Board would have to cut spending between now and the end of the fiscal year. Dr. Burnett advised that the balance of the MRPP contribution will need to be cut. There had been some discussion about adjusting the renewal fees, but it was the consensus of the Executive Committee members to leave the fees as they are.

DISCIPLINARY ACTION ON WEB SITE

Mrs. Freeman reported on her meeting with the Mississippi Medical Staff Association and that they had requested that disciplinary action be put on the web site immediately after the action was taken. The Executive Committee members approved putting disciplinary action, i.e., name, location, brief description of action, on the web site.

EXECUTIVE COMMITTEE MINUTES

April 17, 2002

Page 4

***RELEASE OF MEDICAL RECORDS* REGULATION**

Dr. Burnett advised that William B. Harper, D.O., Board member, was proposing a change in the ***Release of Medical Records*** Regulation to allow for a minimum copying charge of \$20 for up to 20 pages and \$1 per page for 21 or more pages. This will be presented to the full Board on Thursday.

MRPP MEMORANDUM OF UNDERSTANDING

Dr. Burnett recommended that the amended Memorandum of Understanding be referred to the Impaired Physicians Program Ad Hoc Committee for their review with a recommendation to the full Board at the July meeting.

NOMINATING COMMITTEE

Dr. Bush will appoint a Nominating Committee to present a slate of officers to begin serving July 1, 2002.

CME POLICY STATEMENT

Mrs. Freeman recommended the adoption of the following policy statement:

CONTINUING MEDICAL EDUCATION EXEMPTION FOR PHYSICIANS IN A RESIDENCY OR FELLOWSHIP PROGRAM - Physicians participating in an ACGME approved residency or fellowship program for at least one year of the two year CME period may be exempt from acquiring the required 40 hours of CME for renewal.

It was the consensus of the Executive Committee members to adopt this policy statement.

RAMIRO JOSE MARTINEZ, M.D., MERIDIAN, MISSISSIPPI MEDICAL LICENSE NUMBER 050-L

Dr. Burnett reported on communications he was receiving concerning SB 2880, which allowed for the full licensure of Dr. Martinez without meeting the Board's licensure requirements. He stated that he had voiced concern to a number of legislators. It was the consensus of the Executive Committee members that Dr. Martinez would need to complete an application, pay the \$500 application fee, and provide the requested documentation.

EXECUTIVE COMMITTEE MINUTES

April 17, 2002

Page 5

KERRY JANE BERTHOLD, M.D., APPLICANT

Dr. Burnett reviewed the application of Dr. Berthold, who is currently entered into a Consent Order with the Louisiana State Board of Medical Examiners. It was the consensus of the Executive Committee members to issue Dr. Berthold a restricted temporary license for one year while she is in her fellowship at the University of Mississippi Medical Center. She may petition the Board after one year for a permanent license.

STEPHEN DERRICK SUDDERTH, M.D., APPLICANT

Dr. Burnett discussed some concerns with the licensure application of Dr. Sudderth. After reviewing his file, it was the consensus of the Executive Committee members to issue Dr. Sudderth an unrestricted license.

PATRICK GENE MCLAIN, M.D., MERIDIAN, MISSISSIPPI MEDICAL LICENSE NUMBER 04074

A condition of Dr. McLain's Consent Order, which was approved at the February 21, 2002, Board meeting, was that he was to obtain a comprehensive psychiatric and physical evaluation within 30 days. Dr. Burnett advised that a report had been received from William M. Wood, M.D., Meridian, and Dr. Wood's opinion was that Dr. McLain's present illness prevents him from actively practicing medicine. This will be taken to the full Board on Thursday.

MICHAEL ELLIS, M.D., MISSISSIPPI MEDICAL LICENSE NUMBER 14160

Dr. Burnett reported that action had been taken by Forrest General Hospital, Hattiesburg, against Dr. Ellis, a locum tenens pathologist. His hospital privileges were terminated because of numerous slides having severe/gross discrepancies. Dr. Ellis will be asked to surrender his Mississippi license, and if he desires not to, he will be served with an Order of Prohibition.

REVIEW OF APRIL 18 BOARD MEETING

Dr. Burnett briefly reviewed the agenda for Thursday's Board meeting.

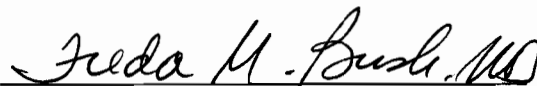
EXECUTIVE COMMITTEE MINUTES

April 17, 2002

Page 6

ADJOURNMENT

There being no further business, the meeting adjourned at 6:15 p.m.



Freda M. Bush, M.D.

President

Minutes taken and transcribed

by Kathy Fortenberry

Administrative Assistant

April 17, 2002

BOARD MINUTES
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
APRIL 18, 2002

The regularly scheduled meeting of the Mississippi State Board of Medical Licensure was held on Thursday, April 18, 2002, in the Executive Conference Room of the Office of the Board located at 1867 Crane Ridge Drive, Jackson, Mississippi.

The following members were present:

Freda M. Bush, M.D., Jackson, President
Robert Ray Smith, M.D., Jackson, Vice President
Dewitt G. Crawford, M.D., Louisville, Secretary
Frank W. Bowen, M.D., Carthage
William B. Harper, D.O., Greenwood
William H. Henderson, M.D., Oxford
Joseph E. Johnston, M.D., Mount Olive
W. Joseph Burnett, M.D., Director

Also present:

Stan T. Ingram, Attorney for the Board
Heather Wagner, Special Assistant Attorney General
Rhonda Freeman, Division Director II, Licensure Division
Charles Moses, Division Director II, Investigative Division
Kathy Fortenberry, Administrative Assistant

Not present:

Paul Douglas Jackson, M.D., Greenville
Henry J. Sanders, M.D., McComb

The meeting was called to order at 9:00 a.m. by Dr. Bush, President. The invocation was given by Dr. Johnston. Dr. Bush welcomed Christy Sievert, court reporter.

APPROVAL OF CERTIFICATION OF MISSISSIPPI LICENSES TO OTHER ENTITIES FOR THE PERIOD FEBRUARY 1, 2002, TO MARCH 31, 2002

One hundred thirty-seven (137) licenses were certified to other entities for the period February 1, 2002, to March 31, 2002. Motion was made by Dr. Johnston, seconded by Dr. Harper, and carried unanimously to approve these certifications.

BOARD MINUTES

April 18, 2002

Page 2

APPROVAL OF LICENSES ISSUED FOR THE PERIOD FEBRUARY 1, 2002, TO MARCH 31, 2002

Forty-nine (49) licenses were issued for the period February 1, 2002, to March 31, 2002. Motion was made by Dr. Bowen, seconded by Dr. Johnston, and carried unanimously to approve these licenses.

REVIEW OF MINUTES OF THE EXECUTIVE COMMITTEE MEETING DATED FEBRUARY 20 AND 21, 2002, AND MINUTES OF THE BOARD MEETING DATED FEBRUARY 21, 2002

Minutes of the Executive Committee Meeting dated February 20 and 21, 2002, and Minutes of the Board Meeting dated February 21, 2002, were reviewed. Dr. Johnston moved for approval of the minutes as submitted. Dr. Bowen seconded the motion, and it carried unanimously.

REPORT OF APRIL 17, 2002, EXECUTIVE COMMITTEE MEETING

Dr. Burnett reported on the Executive Committee approving Determinations of Reasonable Cause of Authority to Inspect and Copy Records of Van Lemuel Lackey, M.D., Jackson, and John Philip Mladineo, M.D., Jackson. He reported on meeting with Pam Pitchford, Deputy Executive Director, Mississippi Board of Nursing, and several items which were discussed will be brought before the full Board later in the meeting.

Dr. Burnett presented a proposed change in the *Release of Medical Records* regulation to allow for a minimum copying charge of \$20 for up to 20 pages and \$1 per page for 21 or more pages. Motion was made by Dr. Smith, seconded by Dr. Crawford, and carried unanimously to adopt the amended regulation, a copy of which is attached hereto and incorporated by reference. This will be filed with the Secretary of State under the Administrative Procedures Act.

Dr. Burnett reported on meeting with the Mississippi State Medical Association Executive Committee and representatives of the Impaired Physicians Committee regarding disruptive physicians and those with sexual boundary violation or sexual misconduct. The results of this meeting are reflected in an amended Memorandum of Understanding, which was referred to the Impaired Physicians Program Ad Hoc Committee for review. The committee will report back to the full Board for their approval at the July meeting.

BOARD MINUTES

April 18, 2002

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Dr. Bush had earlier asked Dr. Bowen to serve with her on the Nominating Committee. They presented the following slate of officers for a two-year term beginning July 1, 2002:

President - Robert R. Smith, M.D.
Vice President - Dewitt G. Crawford, M.D.
Secretary - William B. Harper, D.O.

Motion was made by Dr. Johnston, seconded by Dr. Bowen, and carried unanimously to accept this slate of officers.

The following policy statement was adopted by the Executive Committee:

**CONTINUING MEDICAL EDUCATION EXEMPTION FOR PHYSICIANS
IN A RESIDENCY OR FELLOWSHIP PROGRAM** - Physicians participating in an ACGME approved residency or fellowship program for at least one year of the two year CME period may be exempt from acquiring the required 40 hours of CME for renewal.

Dr. Johnston voiced concern over the permanent license that the legislature authorized for Ramiro Jose Martinez, M.D., Meridian, and asked that a complaint be registered with the Governor and the legislature.

Dr. Burnett advised the Board of a report from William M. Wood, M.D., Meridian, regarding Patrick G. McLain, M.D., Meridian. Dr. Wood's opinion was that Dr. McLain's present illness prevents him from actively practicing medicine. Motion was made by Dr. Johnston, seconded by Dr. Bowen, and carried unanimously to prohibit Dr. McLain from practicing medicine until such time as he has complied with all treatment recommendations of Dr. Wood. This action is authorized pursuant to the Consent Order duly executed by Dr. McLain. The Order of the Board is attached hereto and incorporated by reference.

Dr. Burnett presented other informational items, which are reflected in the Executive Committee Minutes.

REPORTS FROM AD HOC COMMITTEES

Alternative Medicine - Dr. Burnett reported on a recent meeting with Wilson Ellis, the owner of several chelation therapy clinics, and his attorney regarding the

BOARD MINUTES

April 18, 2002

Page 4

proposed **Regulation Governing Chelation Therapy**. Dr. Burnett asked that the committee study these regulations and bring back to the July Board meeting for final adoption.

Educational Development - There was no new information to report.

Impaired Physicians Program - The amended MRPP Memorandum of Understanding was referred to this committee for a recommendation at the July Board meeting.

Gary D. Carr, M.D., Medical Director, Mississippi Recovering Physicians Program, asked that the Pine Grove Professional Enhancement Program be approved as a treatment facility. Motion was made by Dr. Johnston, seconded by Dr. Bowen, and carried unanimously to approve this program.

Office Based Surgery - This committee report was deferred until later in the meeting.

Telemedicine - This committee will meet immediately following the Board meeting.

Legislative - There was no new information to report.

Nurse Practitioner and Expanded Role - Dr. Bush welcomed Betty Dickson, Executive Director, Mississippi Nurses' Association.

The changes to the regulations, **Supervision of Nurse Practitioners**, as approved by the Joint Committee, were discussed. The Board, through the Nurse Practitioner and Expanded Role Ad Hoc Committee, has been working with the Mississippi Board of Nursing/Mississippi State Board of Medical Licensure Joint Committee to review and approve all changes. In addition, Pam Pitchford, as a Board of Nursing member of the Joint Committee, has independently met with both the Ad Hoc Committee and the Executive Committee during consideration of the changes to the regulations. Motion was made by Dr. Crawford, seconded by Dr. Johnston, and carried unanimously to adopt the amended regulations, a copy of which is attached hereto and incorporated by reference. This will be filed with the Secretary of State under the Administrative Procedure Act.

BOARD MINUTES

April 18, 2002

Page 5

The Board of Nursing's proposed regulations pertaining to prescribing controlled substances were reviewed. Motion was made by Dr. Johnston, seconded by Dr. Bowen, and carried unanimously to approve these regulations for joint promulgation.

FINAL ADOPTION OF AMENDMENTS TO *OFFICE BASED SURGERY REGULATIONS*

Motion was made by Dr. Smith, seconded by Dr. Johnston, and carried unanimously to final adopt the amendments to *Office Based Surgery Regulations*, a copy of which is attached hereto and incorporated by reference. This will be filed with the Secretary of State under the Administrative Procedure Act.

FINAL ADOPTION OF AMENDMENT TO *REGULATIONS PERTAINING TO PRESCRIBING, ADMINISTERING AND DISPENSING OF MEDICATIONS, F. USE OF CONTROLLED SUBSTANCES FOR CHRONIC (NON-TERMINAL) PAIN*

Dr. Burnett reported that he thought further consideration should be given to this amendment before final adoption. Motion was made by Dr. Johnston, seconded by Dr. Crawford, and carried unanimously to table the amendment and refer to the Educational Ad Hoc Committee.

ANNUAL RENEWAL FEES

Dr. Burnett commented on House Bill 1317, which took one million dollars from the Board's funds, and advised that the Board would have to cut spending between now and the end of the fiscal year. The Board instructed Dr. Burnett to write a letter to *The Clarion Ledger*, voicing their concerns over this.

PRESENTATION BY HEATHER WAGNER REGARDING OPEN MEETINGS AND PUBLIC RECORDS

Ms. Wagner distributed information on the Mississippi Open Meetings Act and gave an informative presentation on open meetings and public records of the Board.

THE BOARD RECESSED AT 10:15 A.M. AND RECONVENED AT 10:25 A.M.

DR. SANDERS JOINED THE MEETING AT 10:25 A.M.

BOARD MINUTES

April 18, 2002

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**PERSONAL APPEARANCE BY WILLIAM H. C. DUDLEY, M.D., MERIDIAN, TO
REQUEST REMOVAL OF RESTRICTIONS, MISSISSIPPI MEDICAL LICENSE
NUMBER 03317**

Dr. Dudley was present but not represented by legal counsel. Also present was Dr. Mark Allen, Mississippi Impaired Physicians Committee.

Mr. Moses was sworn in and presented a chronological summary of Dr. Dudley's background and history leading to the disciplinary action taken on his medical license. Mr. Ingram summarized Dr. Dudley's previous Board Orders and entered as an exhibit.

Ms. Wagner questioned Dr. Dudley regarding legal representation, and Dr. Dudley stated he wished to waive his right to an attorney and proceed without legal counsel. Dr. Dudley answered questions from the Board members and Mr. Ingram. Dr. Allen addressed the Board on behalf of Dr. Dudley.

Motion was made by Dr. Smith, seconded by Dr. Johnston, and carried unanimously to remove all restrictions. The Order of the Board is attached hereto and incorporated by reference.

A verbatim account of this proceeding was recorded by Christy Sievert, CSR/RPR.

**PERSONAL APPEARANCE BY STANLEY CLAY RUSSELL, M.D., JACKSON,
TO REQUEST REMOVAL OF RESTRICTIONS, MISSISSIPPI MEDICAL LICENSE
NUMBER 03623**

Dr. Russell was present but not represented by legal counsel.

Mr. Ingram summarized Dr. Russell's background and history leading to the disciplinary action taken on his medical license. Prior Board Orders and a chronological summary were entered as exhibits.

Ms. Wagner questioned Dr. Russell regarding legal representation, and Dr. Russell stated he wished to waive his right to an attorney and proceed without legal counsel. Dr. Russell answered questions from the Board members and Mr. Ingram.

BOARD MINUTES

April 18, 2002

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Motion was made by Dr. Smith, seconded by Dr. Johnston, and carried unanimously to remove all restrictions. The Order of the Board is attached hereto and incorporated by reference.

A verbatim account of this proceeding was recorded by Christy Sievert, CSR/RPR.

SHOW-CAUSE HEARING IN THE CASE OF EDWIN SANDERS, P.A., APPLICANT, VICKSBURG

Mr. Sanders was present but not represented by legal counsel. Ms. Wagner questioned Mr. Sanders regarding legal representation, and Mr. Sanders stated he wished to waive his right to an attorney and proceed without legal counsel.

Dr. Bowen recused himself from the hearing.

Mr. Ingram explained the charges as outlined in the Summons and Affidavit, which resulted from action taken by the Alabama State Board of Medical Examiners, and entered exhibits.

Mr. Sanders was sworn in, addressed the Board regarding the action taken in Alabama, and answered questions from Mr. Ingram and Board members.

Motion was made by Dr. Smith, seconded by Dr. Johnston, and carried unanimously that the Board consider going into Executive Session to consider entry of an order which may be appealable. With a motion by Dr. Johnston, seconded by Dr. Smith, the Board went into Executive Session.

Upon motion by Dr. Sanders, seconded by Dr. Johnston, and carried unanimously, the Board came out of Executive Session at which time Dr. Bush announced that the Board was denying Mr. Sanders' application for a Physician Assistant license but would reconsider when his Alabama license is cleared. The Order of the Board is attached hereto and incorporated by reference.

A verbatim account of this proceeding was recorded by Christy Sievert, CSR/RPR.

BOARD MINUTES

April 18, 2002

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**APPROVAL OF CONSENT ORDER EXECUTED BY FORSTER GEHRING RUHL, JR.,
M.D., SENATOBIA, MISSISSIPPI MEDICAL LICENSE NUMBER 12463**

Dr. Ruhl was not present or represented by legal counsel.

Mr. Moses was sworn in and presented a chronological summary of Dr. Ruhl's background and history leading to the disciplinary action taken on his medical license. Dr. Burnett and Mr. Ingram reviewed the Consent Order and answered questions from the Board members.

Motion was made by Dr. Johnston, seconded by Dr. Crawford, and carried unanimously to accept the Consent Order, a copy of which is attached hereto and incorporated by reference.


A verbatim account of this proceeding was recorded by Christy Sievert, CSR/RPR.

OTHER BUSINESS

There have been some problems with §73-25-19, which allows nonresident physicians to come into the state for five days. The Executive Committee had asked for a regulation to be developed to coincide with the Board's statute, which was presented to the full Board. Motion was made by Dr. Johnston, seconded by Dr. Harper, and carried unanimously to adopt ***Regulations Governing the Practice of Unlicensed Nonresident Physicians***, a copy of which is attached hereto and incorporated by reference. This will be filed with the Secretary of State under the Administrative Procedure Act.

ADJOURNMENT

The meeting was adjourned at 11:25 a.m. with the next meeting scheduled for Thursday, July 18, 2002.



Freda M. Bush, M.D.

President

Minutes taken and transcribed
by Kathy Fortenberry
Administrative Assistant
April 18, 2002

**EXECUTIVE SESSION
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
APRIL 18, 2002**

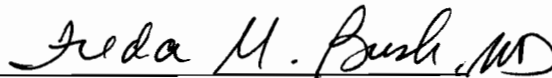
AGENDA ITEM XVII

**SHOW-CAUSE HEARING IN THE CASE OF EDWIN SANDERS, P.A., APPLICANT,
VICKSBURG**

Motion made by Dr. Johnston, seconded by Dr. Smith, and carried to deny application for Physician Assistant license.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Frank W. Bowen, M.D.			X	
Freda M. Bush, M.D.	X			
Dewitt G. Crawford, M.D.	X			
William B. Harper, D.O.	X			
William H. Henderson, M.D.	X			
Paul Douglas Jackson, M.D.				X
Joseph E. Johnston, M.D.	X			
Henry J. Sanders, M.D.	X			
Robert Ray Smith, M.D.	X			

With a motion by Dr. Sanders, seconded by Dr. Johnston, the Board came out of Executive Session.



Freda M. Bush, M.D.
President

COPY

ADMINISTRATIVE PROCEDURES FILING NOTICE

Agency Board of Medical Licensure Person to Contact Rhonda Freeman
Address 1867 Crane Ridge Drive Suite 200B Address _____
Jackson, MS 39216
Phone (601) 987-3079 Transmittal Date April 19, 2002
Copy Attached: Yes No _____

Name or Number of Rule(s) XII. Release of Medical Records

Terms or Substance of the Actions or Description of the Subject and Issues:
See attached.

Printed Name and Title of Person Authorized to File Rules: Rhonda Freeman Division Director II

Name Rhonda Freeman Title _____
Signature _____

EMERGENCY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
<input type="checkbox"/> Original Filing <input type="checkbox"/> Renewal of Effectiveness To Be In Effect _____ Days Effective Date: <input type="checkbox"/> Immediately on <input type="checkbox"/> Other (Specify): _____	Action Proposed: <input type="checkbox"/> New Rule(s) <input checked="" type="checkbox"/> Amendment to Existing Rule(s) <input type="checkbox"/> Repeal of Existing Rule(s) <input type="checkbox"/> Adoption by Reference Proposed Date of Adoption: <input checked="" type="checkbox"/> 30 Days after Filing <input type="checkbox"/> Other (Specify): _____	Action Taken: <input type="checkbox"/> Adopted with No Changes in Text <input type="checkbox"/> Adopted with Changes <input type="checkbox"/> Adopted by Reference <input type="checkbox"/> Withdrawn Date Action Taken _____ Effective Date <input type="checkbox"/> 30 Days After Filing <input type="checkbox"/> Other (Specify): _____

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OFFICIAL FILING STAMP	OFFICIAL FILING STAMP FILED APR 19 2002 MISSISSIPPI SECRETARY OF STATE	OFFICIAL FILING STAMP
Accepted for filing by _____	Accepted for filing by <u>[Signature]</u>	Accepted for filing by _____

XII. RELEASE OF MEDICAL RECORDS

A. DEFINITIONS

For the purpose of Article XII only, the following terms have the meanings indicated:

1. "Physician" means any person licensed to practice medicine, osteopathic medicine or podiatric medicine in the State of Mississippi.
2. "Medical Records" means all records and/or documents relating to the treatment of a patient, including, but not limited to, family histories, medical histories, report of clinical findings and diagnosis, laboratory test results, X-rays, reports of examination and/or evaluation and any hospital admission/discharge records which the physician may have.
3. "Patient" means a natural person who receives or should have received health care from a licensed physician, under a contract, express or implied, whether or not the physician is compensated for services rendered.
4. "Legal Representative" means an attorney, guardian, custodian, or in the case of a deceased patient, the executor/administrator of the estate, surviving spouse, heirs and/or devisees.

B. MEDICAL RECORDS - PROPERTY OF PHYSICIAN/CLINIC

Medical records, as defined herein, are and shall remain the property of the physician or physicians, in whose clinic or facility said records are maintained, subject, however, to reasonable access to the information contained in said records as set forth herein below.

C. TRANSFER OF PATIENT RECORDS TO ANOTHER PHYSICIAN

A physician who formerly treated a patient shall not refuse for any reason to make the information contained in his medical records of that patient available upon request by the patient or legal representative of the patient, to another physician presently treating the patient. The physician has a right to request a written release from the patient or legal representative of the patient, authorizing the transfer prior to transfer of said documents. Upon receipt of the written release and authorization, the physician must tender either a copy of said documents or a narrative summary of the same to the other physician within a reasonable period of time. Transfer of said documents shall not be withheld because of an unpaid bill for medical services, but the physician is entitled to reasonable compensation paid in advance for any copy expenses ~~not to exceed one dollar (\$1.00) per page. The minimum copying charge is~~

twenty dollars (\$20) for up to 20 pages and one dollar (\$1.00) per page for 21 or more pages.

D. RELEASE OF PATIENT RECORDS TO PATIENT

A physician shall, upon request of the patient or patient's legal representative, provide either a copy of a patient's medical record or a narrative summary of the same to the patient or to the patient's legal representative; provided, however, where release of psychiatric/psychological records directly to a patient would be deemed harmful to the patient's mental health or well-being, the physician shall not be obligated to release said records directly to the patient, but shall, upon request, release the same to the patient's legal representative. The physician has a right to request a written authorization prior to release of said documents. Upon receipt of the written release and authorization, the physician must tender either a copy of said documents or a narrative summary of the same to the patient or to the patient's legal representative within a reasonable period of time. Transfer of said documents shall not be withheld because of an unpaid bill for medical services, but the physician is entitled to reasonable compensation paid in advance for any copy expenses ~~not to exceed one dollar (\$1.00) per page. The minimum copying charge is twenty dollars (\$20) for up to 20 pages and one dollar (\$1.00) per page for 21 or more pages.~~

E. VIOLATION OF REGULATIONS

A refusal by a physician to release patient records as enumerated above shall constitute unprofessional conduct, dishonorable or unethical conduct likely to deceive, defraud or harm the public in violation of Mississippi Code (1972) Annotated, Section 73-25-29(8)(d), as amended.

Amended March 16, 1995.

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE

OF

PATRICK GENE MCLAIN, M.D.

ORDER

THIS MATTER came on regularly for consideration on April 18, 2002, by the Mississippi State Board of Medical Licensure (hereinafter "Board") in response to information received by the Board through its Director, W. Joseph Burnett, M.D., pertaining to the ability of Patrick Gene McLain, M.D. (hereinafter "Licensee"), to practice medicine with reasonable skill and safety to patients. On February 21, 2002, Licensee entered into a Consent Order with the Board, placing certain restrictions on his license to practice medicine as a result of violation of the rules and regulations of the Board "Pertaining to Prescribing, Administration and Dispensing of Medication." Restriction No. 1 as set forth in the Consent Order, provided as follows:

Licensee shall within thirty (30) days of the effective date of this Consent Order, obtain a comprehensive psychiatric and physical evaluation from a facility approved in advance by the Executive Director of the Board of Medical Licensure. Licensee shall execute all appropriate releases of information that will allow for a free flow of information between the evaluators and the Board. Upon receipt of a final evaluation report and consideration thereof, the Board reserves the right to impose any additional conditions or restrictions not already provided for herein on Licensee's medical practice as may be deemed necessary to further protect the public.

On or about March 20, 2002, Licensee submitted to the required evaluation by William M. Wood, M.D., Meridian, Mississippi. As the result of the evaluation, Dr. Wood found Licensee unable to return to active practice. Based on the authority reserved by the

Board in the aforementioned Consent Order, this Board now finds it necessary to prohibit any further practice consistent with the recommendations of the evaluation report.

NOW THEREFORE, IT IS HEREBY ORDERED, that pursuant to authority granted by the Consent Order, duly executed by Licensee and approved by the Board on February 21, 2002, Licensee shall be, and is hereby, prohibited from practicing medicine until such time as Licensee has complied with all treatment recommendations of William M. Wood, M.D., and the Board is in receipt of a follow-up evaluation report from Dr. Wood or other psychiatrist approved by the Board, expressly finding that Licensee can practice medicine with reasonable skill and safety to patients on either a restricted or unrestricted basis.

IT IS FURTHER ORDERED, that pursuant to Miss. Code Ann. Sections 73-25-27 and 73-25-32 (1972), a copy of this Order shall be sent by registered mail or personally served upon Patrick Gene McLain, M.D.

ORDERED, this the 18th day of April, 2002.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY: *Freda M. Bush MD*
FREDA M. BUSH, M.D.
PRESIDENT

ADMINISTRATIVE PROCEDURES FILING NOTICE

Agency Board of Medical Licensure Person to Contact Rhonda Freeman
Address 1867 Crane Ridge Drive Suite 200B Address _____
Jackson, MS 39216
Phone (601) 987-3079 Transmittal Date April 19, 2002
Copy Attached: Yes No _____

Name or Number of Rule(s) XIII. The Supervision of Nurse Practitioners

Terms or Substance of the Actions or Description of the Subject and Issues:
See attached.

Printed Name and Title of Person Authorized to File Rules: Rhonda Freeman Division Director II
Name Title
Rhonda Freeman
Signature

EMERGENCY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
<input type="checkbox"/> Original Filing <input type="checkbox"/> Renewal of Effectiveness To Be In Effect _____ Days Effective Date: <input type="checkbox"/> Immediately on <input type="checkbox"/> Other (Specify): _____	Action Proposed: <input type="checkbox"/> New Rule(s) <input type="checkbox"/> Amendment to Existing Rule(s) <input type="checkbox"/> Repeal of Existing Rule(s) <input type="checkbox"/> Adoption by Reference Proposed Date of Adoption: <input type="checkbox"/> 30 Days after Filing <input type="checkbox"/> Other (Specify): _____	Action Taken: <input type="checkbox"/> Adopted with No Changes in Text <input checked="" type="checkbox"/> Adopted with Changes <input type="checkbox"/> Adopted by Reference <input type="checkbox"/> Withdrawn Date Action Taken <u>April 18, 2002</u> Effective Date <input checked="" type="checkbox"/> 30 Days After Filing <input type="checkbox"/> Other (Specify): _____

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OFFICIAL FILING STAMP	OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
		FILED APR 19 2002 MISSISSIPPI SECRETARY OF STATE
Accepted for filing by _____	Accepted for filing by _____	Accepted for filing by <i>J. J. [Signature]</i>

XIII. THE SUPERVISION OF NURSE PRACTITIONERS

AUTHORITY: CHAPTER 25 AND 27, TITLE 73, MISSISSIPPI CODE (1972)
ANNOTATED, AS AMENDED

A. SCOPE

These regulations apply to all individuals licensed to practice medicine or osteopathic medicine in the State of Mississippi.

B. DEFINITIONS

For the purpose of Article XIII only, the following terms have the meanings indicated:

1. "Physician" means any person licensed to practice medicine or osteopathic medicine in the State of Mississippi.
2. "Free Standing Clinic/Collaborative Practice Site" means a clinic or other facility wherein patients are treated by a Nurse Practitioner who is not physically located in the same building as that of the Collaborating/ Supervising Physician. Excluded from this definition are all licensed hospitals.
3. "Primary Office" means the usual practice location of a physician and being the same location reported by that physician to the Mississippi State Board of Medical Licensure and the United States Drug Enforcement Administration.
4. "Collaboration" means a Mississippi State Board of Medical Licensure recognized relationship between the nurse practitioner and a physician with an unrestricted license to practice medicine in the state of Mississippi. This relationship must be documented in a protocol that is mutually agreed upon by the physician and the nurse practitioner and approved by the Mississippi State Board of Medical Licensure and Mississippi Board of Nursing.
5. "Collaborating/Supervising Physician" means a physician who, pursuant to a duly executed protocol has agreed to supervise a Nurse Practitioner.
6. "Nurse Practitioner" means any person licensed to practice nursing in the State of Mississippi and certified by the Mississippi Board of Nursing to practice in an expanded role as a Nurse Practitioner.

C. BOARD REVIEW:

1. Before any physician shall **execute** a protocol to supervise a Nurse Practitioner who plan or anticipates practicing in a Free Standing Clinic/Collaborative Practice Site, the physician must first (a) appear personally before the Mississippi State Board of Medical Licensure, (b) present and discuss the protocol, and (c) obtain approval from the Board to act as a Collaborating/ Supervising Physician. The facts and matters to be considered by the Board shall include, but is not limited to, how the Collaborating/ Supervising Physician and Nurse Practitioner plan to implement the protocol, the method and manner of supervision, consultation, referral and liability. This requirement shall not apply to collaborative practice arrangements existing at the time of the effective date of these amended regulations. If there is a change in the primary Collaborating/ Supervising physician or clinic site, personal appearance will be required.
2. The requirement of Board appearance and approval set forth in Subpart 1 above also applies to any physician Collaborating/ Supervising a Nurse Practitioner who later moves to a Free Standing Clinic/Collaborative Practice Site under an existing protocol.
3. Where a Nurse Practitioner is being supervised in a Free Standing Clinic/Collaborative Practice Site pursuant to an existing protocol as of the effective date of this regulation, the requirements of personal appearance and Board approval set forth in Subpart 1 above shall not be required until the next succeeding renewal date for said certification as required by the Mississippi State Board of Nursing.
4. Where two or more physicians anticipate executing a protocol to supervise a Nurse Practitioner practicing in a Free Standing Clinic/Collaborative Practice Site, it shall not be necessary that all of the physicians personally appear before the Mississippi State Board of Medical Licensure as required in Subpart 1 above. In this situation, the physician who will bear the primary responsibility for the supervision of the Nurse Practitioner shall make the required personal appearance.

D. PHYSICIAN QUALITY IMPROVEMENT RESPONSIBILITIES

The decision to work in a collaborative practice arrangement with a nurse practitioner involves more than simply signing a practice protocol and being available for consultations. The responsibilities outlined in these regulations are the minimum standards that will be required to ensure that there is an active collaborative process between physician(s) and nurse practitioner(s)

as outlined in a mutually agreed upon written protocol. Each protocol shall, at a minimum, include the following Quality Improvement responsibilities for the collaborating physician(s):

1. To ensure the continuity of the collaborative process, an alternative physician(s) shall be designated on the Board of Nursing approved protocol and will be available to provide necessary services in the absence of the primary collaborating physician.

2. Collaborating physicians will be available for daily status reports on complications or problems encountered that are not covered by the practice protocol. The physicians will be available to accept referrals from the nurse practitioner or make alternative arrangements to handle such referrals.

~~3. If the nurse practitioner routinely provides services at a location other than where the collaborating physician is located, or if the physician is not otherwise engaged in full-time medical practice, the following requirements are applicable:~~

3. The collaborating physician will be physically present at the off-site practice Free Standing Clinic/Collaborative Practice site location at least once monthly quarterly during the nurse practitioner's regular working hours. The physician shall remain at the off-site practice location for the necessary amount of time to meet his/her minimum responsibilities as stated in the protocol, described herein, including, but not limited to, directly observing the activities of the nurse practitioner in taking patient histories, making a diagnosis, rendering treatment and providing counseling. The collaborating physician will maintain a log of dates and times. A log will be maintained documenting the dates and times when he or she was present at the off-site practice location. Physicians working with health clinics operated by State institutions of higher learning or other practice situations approved by either Board may be exempted from the requirements in this section by petitioning the Executive Director of the Mississippi State Board of Medical Licensure in writing.

4. The collaborating physician shall insure implementation of a quality improvement plan including, but not limiting to the following:

(a) Documentation of discussion regarding referrals to a specialist in another field.

(b) Documentation of discussion regarding adverse drug reactions.

- (c) Documentation of discussion regarding interpretation of conflicting diagnostic tests.
- (d) Documentation of discussion with physician for hospitalizations.

review each written follow-up report from physicians to whom patients were referred by the nurse practitioner in order to consider the appropriateness of the referral and prior treatment rendered by the nurse practitioner. In addition, all patient charts will be reviewed that involve complications from treatment and adverse drug reactions. On at least a monthly basis, the collaborating physician shall review a random sampling of no less than five percent (5%) of all patient charts involving treatment that was solely rendered by the nurse practitioner, and a notation shall be made by the physician in each chart reviewed as to the date said review was done. If the nurse practitioner is exercising controlled substance prescribing authority, at least ~~twenty-five~~ fifteen percent (25%) (15%) of charts involving treatment with controlled substances shall be reviewed, but these charts can be included in the overall 5% total. A log of the charts reviewed in accordance with this section shall be maintained ~~by the physician in the off-site clinic,~~ with a reference included as to the patient or file number, date of review, and reason for the review. This log shall be made available for inspection upon request by any duly authorized representative of the Mississippi State Board of Medical Licensure.

- 5 In order to ensure that the collaborating physician(s) have met their obligations under these regulations, the Mississippi State Board of Medical Licensure has the authority to review any and all records or documents related to the conduct of Quality Improvement and the collaborating physician(s) will cooperate fully with any monitoring activities undertaken by the Mississippi State Board of Medical Licensure in this regard.

E. COLLABORATING -SUPERVISING PHYSICIAN LIMITED

No physician shall be authorized to supervise a Nurse Practitioner unless that physician holds an unrestricted license to practice medicine in the State of Mississippi.

F. RE-EVALUATION OF NURSE PRACTITIONER CATEGORIES

Pursuant to authority granted In Mississippi Code (1972) Annotated, Section §73-15-5, the Mississippi State Board of Medical Licensure, along with the Mississippi Board of Nursing are granted authority to jointly promulgate rules and regulations governing Nurse Practitioners. In order to insure the current nature and accuracy of said rules and regulations, the Board shall perform a review of said regulations every two (2) years. If changes are deemed

necessary, joint action by the Board and Mississippi Board of Nursing shall be pursued.

G. VIOLATION OF REGULATIONS

Any violation of the Rules and Regulations as enumerated above shall constitute unprofessional conduct in violation of Mississippi Code Annotated (1972) Annotated, Section §73-25-29(8), as amended.

H. EFFECTIVE DATE OF REGULATIONS:

The above rules and regulations pertaining to Collaborating/ Supervising Physicians shall become effective September 21, 1991, as amended April 18, 2002.

XXIV. OFFICE BASED SURGERY REGULATIONS

A. SCOPE

This regulation sets forth the policies of the Mississippi State Board of Medical Licensure regarding office based surgery rendered by individuals licensed to practice medicine, osteopathic medicine and podiatric medicine in the State of Mississippi.

B. DEFINITIONS

1. For the purpose of Article XXIV only, the following terms have the meanings indicated:
 - a. "Surgery" is defined as any operative procedure, including the use of lasers, performed upon the body of a living human being for the purposes of preserving health, diagnosing or curing disease, repairing injury, correcting deformity or defects, prolonging life, relieving suffering or any elective procedure for aesthetic, reconstructive or cosmetic purposes, to include, but not be limited to: incision or curettage of tissue or an organ; suture or other repair of tissue or organ, including a closed as well as an open reduction of a fracture; extraction of tissue including premature extraction of the products of conception from the uterus; insertion of natural or artificial implants; or an endoscopic procedure. The use of local, general or topical anesthesia and/or intravenous sedation is the prerogative of the surgeon.
 - b. "Surgeon" is defined as a licensed physician performing any procedure included within the definition of surgery.
 - c. Implicit within the use of the term of "equipment" is the requirement that the specific item named must meet current performance standards.
 - d. "Office surgery" is defined as surgery which is performed outside a hospital, an ambulatory surgical center, abortion clinic, or other medical facility licensed by the Mississippi State Department of Health or a successor agency. Physicians performing Level II or Level III office based surgery must register with the Mississippi State Board of Medical Licensure. A copy of the registration form is attached hereto.

- e. A "Surgical Event" for the purpose of this regulation is recognized as a potentially harmful or life-threatening episode related to either the anesthetic or the surgery. Any "Surgical Event" in the immediate peri-operative period that must be reported are those which are life-threatening, or require special treatment, or require hospitalization, including, but not limited to the following: (1) serious cardiopulmonary or anesthetic events; (2) major anesthetic or surgical complications; (3) temporary or permanent disability; (4) coma; or (5) death.

C. GENERAL REQUIREMENTS FOR OFFICE SURGERY

1. For all surgical procedures, the level of sterilization shall meet current OSHA requirements.
2. The surgeon must maintain complete records of each surgical procedure, including anesthesia records, when applicable and the records on all Level II and Level III cases shall contain written informed consent from the patient reflecting the patient's knowledge of identified risks, consent to the procedure, type of anesthesia and anesthesia provider.
3. The surgeon must maintain a log of all Level II and Level III surgical procedures performed, which must include a confidential patient identifier, the type of procedure, the type of anesthesia used, the duration of the procedure, the type of post-operative care, and any Surgical Events. The log and all surgical records shall be provided to investigators of the Mississippi State Board of Medical Licensure upon request.
4. In any liposuction procedure, the surgeon is responsible for determining the appropriate amount of supernatant fat to be removed from a particular patient. Using the tumescent method of liposuction, it is strongly recommended that a reasonable amount of fat should be removed in the office setting, i.e., a range of 4000cc to 5000cc of supernatant fat is a 70 Kg patient with a BMI (body mass index) of less than 30. This range should be adjusted downward in thin patients (less than 25 BMI) and upward in obese patients (over 30 BMI). Morbidly obese patients should preferably be done in the hospital setting.

5. A policy and procedure manual must be maintained in the office and updated annually. The policy and procedure manual must contain the following: duties and responsibilities of all personnel, cleaning and infection control, and emergency procedures. This shall not apply to offices that limit surgery to Level I procedures.
6. The surgeon shall report to the Mississippi State Board of Medical Licensure any Surgical Events that occur within the office based surgical setting. This report shall be made within 15 days after the occurrence of a Surgical Event. A suggested form for reporting is attached hereto. The filing of a report of Surgical Event as required by this section does not, in and of itself, constitute an acknowledgment or admission of malpractice, error, or omission. Upon receipt of the report, the Board may, in its discretion, obtain patient and other records pursuant to authority granted in Miss. Code Ann. Section 73-25-28.
7. The surgeon's office must have a written response plan for emergencies within their facility.
8. In offices where Level II and Level III office based surgery is performed, a sign must be prominently posted in the office which states that the office is a doctor's office regulated pursuant to the rules and regulations of the Mississippi State Board of Medical Licensure. This notice must also appear prominently within the required patient informed consent.
9. It is strongly recommended that the American Society of Anesthesiologists' *Guidelines for Office-Based Anesthesia* be utilized for Level III procedures.

D. LEVEL I OFFICE SURGERY

1. Scope

Level I office surgery includes, but not limited to, the following:

- a. Minor procedures such as excision of skin lesions, moles, warts, cysts, lipomas, LEEP, laser cone of cervix, laser/cautery ablation of warts or other lesions, and repair of lacerations or surgery limited to the skin and subcutaneous tissue performed under topical or local anesthesia not involving drug-induced alteration of consciousness.

- b. Incision and drainage of superficial abscesses, limited endoscopies such as proctoscopies, flexible sigmoidoscopies, hysteroscopies, skin biopsies, arthrocentesis, paracentesis, dilation of urethra, cysto-scopic procedures, and closed reduction of simple fractures or small joint dislocations (i.e., finger and toe joints).
- c. Pre-operative medications not required or used other than minimal pre-operative tranquilization of the patient; anesthesia is local, topical, or none. No drug-induced alteration of respiratory effort or consciousness other than minimal pre-operative tranquilization of the patient is permitted in Level I Office Surgery.
- d. Chances of complication requiring hospitalization are remote.

2. **Standards for Level I Office Surgery**

a. **Training Required**

Surgeon's continuing medical education should include proper dosages and management of toxicity or hypersensitivity to regional anesthetic drugs. Basic Life Support Certification is required.

b. **Equipment and Supplies Required**

Oral airway, positive pressure ventilation device, Epinephrine (or other vasopressor), Corticoids, Antihistamine and Atropine, if any anesthesia is used. The equipment and supplies should reflect the patient population, i.e., pediatrics, etc.

c. **Assistance of Other Personnel Required**

No other assistance is required, unless the specific surgical procedure being performed requires an assistant.

E. LEVEL II OFFICE SURGERY

1. **Scope**

- a. Level II Office Surgery is that in which peri-operative medication and sedation are used orally, intravenously, intramuscularly, or rectally, thus making intra and post-operative monitoring necessary. Such procedures shall include, but not be limited to: hernia repair, hemorrhoidectomy, reduction of simple fractures, large joint dislocations, breast biopsies, dilatation and curettage, thoracentesis, and colonoscopy.
- b. Level II Office surgery includes any surgery in which the patient is placed in a state which allows the patient to tolerate unpleasant procedures while maintaining adequate cardiorespiratory function and the ability to respond purposefully to verbal command and/or tactile stimulation. Patients whose only response is reflex withdrawal from a painful stimulus are sedated to a greater degree than encompassed by this definition.
- c. Any procedures that may yield an excessive loss of blood should be covered under Level II.

2. Transfer Agreement Required

The surgeon must have a written transfer agreement from a licensed hospital within reasonable proximity if the surgeon does not have staff privileges to perform the same procedure as that being performed in the office based surgical setting at a licensed hospital within reasonable proximity.

3. Level of Anesthetic

Local or peripheral major nerve block, including Bier Block, plus intravenous or intramuscular sedation, but with preservation of vital reflexes.

4. Training Required

To perform office based surgery, the physician must be able to document satisfactory completion of surgical training such as Board certification or Board eligibility by a Board approved by the American Board of Medical Specialties or American Board of Osteopathic Specialities. Alternative credentialing for procedures outside the physician's core curriculum must be applied for through Mississippi

State Board of Medical Licensure and reviewed by a multi-specialty board appointed by the Director. The surgeon and one attending assistant must be certified in Basic Life Support. It is recommended that the surgeon and at least one assistant be certified in Advanced Cardiac Life Support or have a qualified anesthetic provider, practicing within the scope of the provider's license, manage the anesthetic.

5. Equipment and Supplies Required

a. Full and current crash cart at the location the anesthetizing is being carried out

The crash cart must include, at a minimum, the following resuscitative medications, or other resuscitative medication subsequently marketed and available after initial adoption of this regulation, provided said medication has the same FDA approved indications and usage as the medications specified below:

1. adrenalin (epinephrine) Abboject 1mg-1:10,000; 10ml
2. adrenalin (epinephrine) ampules 1mg-1:1000; 1ml
3. atropine Abboject 0.1mg/ml; 5ml
4. benadryl (diphenhydramine) syringe 50mg/ml; 1ml
5. calcium chloride Abboject 10%; 100mg/ml; 10ml
6. dextrose Abboject 50%; 25g/50ml
7. dilantin (phenytoin) syringe 250mg/5ml
8. dopamine 400mg/250ml pre-mixed
9. heparin 10,000 units/ml; 1 ml vial
10. inderal (propranolol) 1mg/ml; 1 ml ampule
11. isuprel (isoproterenol) 1mg/5ml; 1:5000 ampule
12. lanoxin (digoxin) 0.5 mg/2ml ampule
13. lasix (furosemide) 40 mg/4ml vial
14. lidocaine Abboject 2%; 100mg/5ml
15. lidocaine 2 grams/500ml pre-mixed
16. magnesium sulfate 50%; 20ml vial (1g/2ml)
17. naran (naloxone) 0.4mg/ml; 1ml ampule
18. pronestyl (procainamide) 100mg/ml; 10ml vial
19. sodium bicarbonate Abboject 50mEq/50ml
20. solu-medrol (methylprednisolone) 125mg/2ml vial
21. verapamil syringe 5mg/2ml
22. romazicon 5ml or 10 ml (0.1mg/ml)

The above dosage levels may be adjusted, depending on ages of the patient population.

- b. Suction devices, endotracheal tubes, laryngoscopes, etc.
- c. Positive pressure ventilation device (e.g., Ambu) plus oxygen supply.
- d. Double tourniquet for the Bier Block procedure.
- e. Monitors for blood pressure/EKG/Oxygen saturation and portable approved defibrillator.
- f. Emergency intubation equipment.
- g. Adequate operating room lighting.
- h. Emergency power source able to produce adequate power to run required equipment for a minimum of two (2) hours, which would require generator on site.
- i. Appropriate sterilization equipment.
- j. IV solution and IV equipment.

6. Assistance of Other Personnel Required

The surgeon and at least one attending assistant must be certified in Basic Life Support. It is recommended that the surgeon and at least one assistant be certified in Advanced Cardiac Life Support. A registered nurse may only administer analgesic doses of anesthetic agents under the direct order of a physician. An assisting anesthesia provider cannot function in any other capacity during the procedure. If additional assistance is required by the specific procedure or patient circumstances, such assistance must be provided by a physician, registered nurse, licensed practical nurse, or operating room technician. Surgeon must have a written agreement with a qualified support physician with hospital privileges within reasonable proximity to cope with any problems that may arise if the surgeon performing the procedure does not have such privileges.

F. LEVEL III OFFICE SURGERY

1. Scope

- a. Level III Office Surgery is that surgery which involves, or reasonably should require, the use of a general anesthesia or major conduction anesthesia and pre-operative sedation. This includes the use of:
 - (1) Intravenous sedation beyond that defined for Level II office surgery;
 - (2) General Anesthesia: loss of consciousness and loss of vital reflexes with probable requirement of external support of pulmonary or cardiac functions; or
 - (3) Major Conduction anesthesia.
- b. Only patients classified under the American Society of Anesthesiologist's (ASA) risk classification criteria as Class I, II, or III are appropriate candidates for Level III office surgery. For ASA Class III patients, the surgeon must document in the patient's record the justification and precautions that make the office an appropriate forum for the particular procedure to be performed.

2. Transfer Agreement Required

The surgeon must have a written transfer agreement from a licensed hospital within reasonable proximity if the surgeon does not have staff privileges to perform the same procedure as that being performed in the office based surgical setting at a licensed hospital within reasonable proximity.

3. Level of Anesthetic

- 1. General Anesthetic: loss of consciousness and loss of vital reflexes with probable requirement of external support of pulmonary or cardiac functions.
- 2. Major Conduction: epidural, spinal, caudal.

4. Training Required

- a. To perform office based surgery, the physician must be able to document satisfactory completion of surgical training such as Board certification or Board eligibility by a Board approved by the American Board of Medical Specialties or American Board of Osteopathic Specialities. Alternative credentialing for procedures outside the physician's core curriculum must be applied for through Mississippi State Board of Medical Licensure and reviewed by a multi-specialty board appointed by the Director.
- b. The surgeon and at least one attending assistant must be certified in Basic Life Support. It is recommended that the surgeon and at least one assistant be certified in Advanced Cardiac Life Support.
- c. Emergency procedures related to serious anesthesia complications should be formulated, periodically reviewed, practiced, updated, and posted in a conspicuous location.

5. Equipment and Supplies Required

- a. Equipment, medication, including at least 12 ampules of dantrolene on site (in cases involving general inhalation or general endotracheal anesthesia), and monitored post-anesthesia recovery must be available in the office.
- b. The office, in terms of general preparation, equipment, and supplies, must be comparable to a free standing ambulatory surgical center, including, but not limited to, recovery capability, and must have provisions for proper record keeping.
- c. Blood pressure monitoring equipment; EKG; end tidal CO2 monitor; pulse oximeter, precordial or esophageal stethoscope, emergency intubation equipment and a temperature monitoring device.
- d. Table capable of trendelenburg and other positions necessary to facilitate the surgical procedure.
- e. IV solutions and IV equipment.

f. All equipment and supplies listed under Level II (E-5).

6. Assistance of Other Personnel Required

An anesthesiologist or certified registered nurse anesthetist must administer the general or regional anesthesia and a physician, registered nurse, licensed practical nurse, or operating room technician must assist with the surgery. The anesthesia provider cannot function in any other capacity during the procedure. A licensed physician or a licensed registered nurse with post-anesthesia care unit experience or the equivalent, and credentialed in Advanced Cardiac Life Support, or in the case of pediatric patients, Pediatric Advanced Life Support, must be available to monitor the patient in the recovery room until the patient has recovered from anesthesia.

G. EFFECTIVE DATE OF REGULATION

The above rules and regulations pertaining to Office Based Surgery shall become effective June 1, 2002.

For Office Use Only	
Date Received	Reviewed By

OFFICE BASED SURGERY REGISTRATION FORM
(For Levels II and III only)

PLEASE PRINT IN INK OR TYPE

Name: _____			
Last	Middle	First	MS License Number

Indicate how credentialed: _____ Board certification _____ Alternative credentialing

Explain: _____

Primary surgical practice location List physical address of all locations	Surgical Level(s) (II and/or III)
1. _____ _____	
2. _____ _____	
3. _____ _____	

List procedures to be performed in office:

(Additional locations and procedures may be listed on a separate page.)

Signature Date

RETURN BY MAIL TO:
Mississippi State Board of Medical Licensure
Post Office Box 9268
Jackson MS 39286-9268

SURGICAL EVENT REPORT FORM

NOTE: Article XXIV of the Rules & Regulations of the Mississippi State Board of Medical Licensure requires surgeons to report any surgical event to the Board within 15 days of the event. A "surgical event" is recognized as a potentially harmful or life threatening episode related to either the anesthetic or the surgery. Any "surgical event" in the immediate peri-operative period that must be reported are those which are life-threatening, require special treatment, or require hospitalization, including, but not limited to the following: (1) serious cardiopulmonary or anesthetic events; (2) major anesthetic or surgical complications; (3) temporary or permanent disability; (4) coma; or (5) death.

Date: _____	Time: _____
Name and Title of Person Filing Report: _____	

Provider Information	
Name of Physician: _____	MS License #: _____
Specialty: _____	Board Certified? Yes <input type="checkbox"/> No <input type="checkbox"/>
Phone: (_____) _____	
Address: _____ _____	
Surgical Event (Refer to patient by file number only) Patient File Number: _____	
DO NOT SEND PATIENT MEDICAL RECORDS	
Age of Patient: _____	Sex: Male <input type="checkbox"/> Female <input type="checkbox"/>
Name/Nature of Procedure(s): _____ _____	
Anesthesia/Analgesia (include dosage): _____	
Nature of Surgical Event (e.g., anaphylaxis, syncope, infection, rash, etc.): _____ _____	
Treatment for Event: _____ _____	
Patient Outcome/Disposition: _____	Hospitalized? Yes <input type="checkbox"/> No <input type="checkbox"/>
(Additional information may be given on a separate page.)	

RETURN BY MAIL TO:
Mississippi State Board of Medical Licensure
Post Office Box 9268
Jackson MS 39286-9268

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE

OF

WILLIAM H. C. DUDLEY, M.D.

ORDER REMOVING ALL RESTRICTIONS

THIS MATTER came on regularly for hearing on April 18, 2002, before the Mississippi State Board of Medical Licensure in response to the petition of William H. C. Dudley, M.D. (hereinafter "Licensee"), seeking removal of all restrictions on his license to practice medicine imposed by virtue of that certain Determination and Order reinstating license entered April 19, 1993. After hearing said petition, the Board finds Licensee's petition to be well-taken.

IT IS HEREBY ORDERED, that Licensee's petition for removal of all restrictions is hereby granted. Licensee now holds an unrestricted license to practice medicine in the State of Mississippi.

IT IS FURTHER ORDERED, that pursuant to Miss. Code Ann. Sections 73-25-27 and 73-25-32 (1972), a copy of this Order shall be sent by registered mail or personally served upon William H. C. Dudley, M.D.

ORDERED, this the 18th day of April, 2002.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY: *Freda M. Bush, MD*
FREDA M. BUSH, M.D.
PRESIDENT

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE

OF

STANLEY CLAY RUSSELL, M.D.

ORDER REMOVING ALL RESTRICTIONS

THIS MATTER came on regularly for hearing on April 18, 2002, before the Mississippi State Board of Medical Licensure in response to the Petition of Stanley Clay Russell, M.D. (hereinafter "Licensee"), seeking removal of all restrictions on his license to practice medicine imposed by virtue of that certain Determination and Order dated January 15, 1998. After hearing said petition, the Board finds Licensee's petition to be well-taken.

IT IS HEREBY ORDERED, that Licensee's petition for removal of all restrictions is hereby granted. Licensee now holds an unrestricted license to practice medicine in the State of Mississippi.

IT IS FURTHER ORDERED, that pursuant to Miss. Code Ann. Sections 73-25-27 and 73-25-32 (1972), a copy of this Order shall be sent by registered mail or personally served upon Stanley Clay Russell, M.D.

ORDERED, this the 18th day of April, 2002.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY: *Freda M. Bush MD*
FREDA M. BUSH, M.D.
PRESIDENT

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE APPLICATION FOR LICENSURE

OF

EDWIN SANDERS, P.A.

DETERMINATION AND ORDER

THIS MATTER came on regularly for hearing on April 18, 2002, before the Mississippi State Board of Medical Licensure, pursuant to Title 73, Chapters 25 and 26, Miss. Code (1972) Annotated. The Board initiated these proceedings on March 18, 2002, by issuance of an Order to Show Cause against Edwin Sanders, PA (hereinafter "Applicant"), charging Applicant with violation of Paragraphs C(2)(h), N(1) and N(2) of Article XXII of the Rules and Regulations of the Board, and violation of Subsections (8)(d) and (9) of Section 73-25-29 and Section 73-25-83(a), Miss. Code (1972) Annotated, as amended. The specific allegations were set forth by Affidavit of same date from Charles Moses, Investigator, attached to and made a part of the Order to Show Cause, wherein Applicant was charged with violation of the Mississippi Medical Practice Act, i.e., having had his license to practice in another state or jurisdiction revoked by the licensing authority in that jurisdiction; and unprofessional conduct, which includes, but is not limited to, any dishonorable or unethical conduct likely to deceive, defraud and harm the public.

The hearing was convened at 10:00 a.m., Applicant being present without counsel. Complaint Counsel for the Board was Honorable Stan T. Ingram. Sitting as legal advisor for the Board was Honorable Heather Wagner, Special Assistant Attorney General.

Evidence and testimony was then presented. Based upon the above, the Board renders the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

I.

On September 6, 2000, Applicant completed a licensure questionnaire and application seeking a license to practice as a Physician Assistant in the State of Mississippi. The licensure staff for the Board received the original application on September 8, 2000, upon which the standard inquiry into Applicant's licensure history was conducted. It was determined that at the time he submitted his application, Applicant was then under investigation by the Alabama State Board of Medical Examiners. At its September 20, 2000 meeting, the Alabama Board considered an investigative report pertaining to Applicant and the supervising physician for whom he was then registered, Michael J. Boucher, M.D. The report contained allegations that Applicant had been practicing outside the scope of his authority as a Physician Assistant, i.e., operating a free-standing clinic with no backup physician available; calling in unauthorized prescriptions, some of which were for controlled substances; and using the physicians' Blue Cross/Blue Shield provider number for billing.

II.

The Alabama Board of Medical Examiners invited Applicant and his supervising physician to meet with their credentials committee during November 2000. Although Michael J. Boucher, M.D., the supervising physician was in attendance, Applicant was not able to appear before the committee.

III.

On or about November 30, 2000, a Notice of Hearing and Administrative Complaint was personally served on Applicant by certified mail in Case No. 00-00-8PA before the Alabama Board of Medical Examiners. Pursuant to said notice, a hearing was conducted on January 17, 2001. Applicant failed to appear at the hearing. Following testimony and receipt of evidence, the hearing officer rendered the following findings of fact and conclusions of law:

- a. The Respondent, Edwin Sanders, P.A., during the period July 7 to August 6, 2000, engaged in unsupervised practice as a physician assistant at the Millry Clinic, Millry, Alabama.
- b. The Respondent, Edwin Sanders, P.A., prescribed controlled substances to patients treated at the Millry Clinic, Millry, Alabama, in violation of the regulations of the Board of Medical Examiners and without the authorization or approval of the Respondent's supervising physician.
- c. The Respondent, Edwin Sanders, P.A., failed to maintain a written dispensing record documenting the dispensing of a Class II controlled substance in violation of Board Medical Examiners rule 540-X-4-.03(3) and failed to account for the use of a Class II controlled substance obtained for the purpose of dispensing to patients at the Millry Clinic.

Based on the above facts, the Alabama State Board of Medical Examiners found that Applicant was guilty of performing otherwise than at the direction and under the supervision of a physician approved by the Board in violation of Alabama law and had prescribed medication in violation of statutory authority and/or rules and guidelines of the Board, whereupon, his license to practice as a Physician Assistant in the State of Alabama was revoked. The revocation order was rendered January 22, 2001, by James H. Walburn, M.D., Chairman of the Alabama State Board of Medical Examiners.

IV.

During the hearing, Applicant acknowledged violation of Alabama laws, rules and regulations governing the supervision of Physician Assistants, but attempted to place equal responsibility on the supervising physician, i.e., stating that Dr. Boucher was well aware of the pre-signed prescriptions and the volume and frequency of controlled substance prescriptions issued during the approximate one (1) month period of time he practiced without supervision. Applicant also testified that he had made arrangements for supervision by another physician. The investigative report from the Alabama Board of Medical Examiners indicated otherwise. Applicant had the opportunity to address such issues and to fully defend himself in the State of Alabama, yet he choose not to do so.

CONCLUSIONS OF LAW

Based upon the Findings of Fact as enumerated above, Applicant is guilty of violation of Paragraphs C(2)(h), N(1) and N(2) of Article XXII of the Rules and Regulations of the Board, and violation of Subsections (8)(d) and (9) of Section 73-25-29 and Section 73-25-83(a), Miss. Code (1972) Annotated, as amended; as a result of Applicant having had his license to practice in another state or jurisdiction revoked by the licensing authority in that jurisdiction; and unprofessional conduct, which includes, but is not limited to, any dishonorable or unethical conduct likely to deceive, defraud and harm the public.

ORDER

IT IS HEREBY ORDERED, that based upon the Findings of Fact and Conclusions of Law enumerated above, the application of Edwin Sanders, P.A., to practice as a Physician Assistant in the State of Mississippi is hereby denied.

IT IS FURTHER ORDERED, that pursuant to Section 73-25-27, a copy of this Determination and Order shall be sent by registered mail, or personally served upon Edwin Sanders, P.A. Because Applicant was informed of this decision following Board deliberations, the Order shall be given immediate effect.

SO ORDERED, this the 18th day of April , 2002.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY: *Freda M. Bush, M.D.*
FREDA M. BUSH, M.D.
PRESIDENT

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE OF

FORSTER G. RUHL, JR., M.D.

CONSENT ORDER

WHEREAS, FORSTER G. RUHL, JR., M.D., hereinafter referred to as "Licensee," is the current holder of License No.12463 for the practice of medicine in the State of Mississippi;

WHEREAS, the Investigative Staff of the Mississippi State Board of Medical Licensure has conducted a comprehensive investigation into the medical practice of Licensee in Senatobia, Mississippi, and has documented evidence indicating that Licensee may have violated the Rules and Regulations of the Board, "Pertaining to Prescribing, Administration and Dispensing of Medication;"

WHEREAS, such conduct, if established in a hearing called for that purpose, would constitute a violation of the Mississippi Medical Practice Act and specifically, Subsection (13) of *Miss. Code Ann.* Section 73-25-29, as amended, for which the Mississippi State Board of Medical Licensure may revoke the medical license of Licensee, suspend it for a time deemed proper by the Board, or take any other action the Board may deem proper under the circumstances;

WHEREAS, Licensee wishes to avoid a hearing before the Mississippi State Board of Medical Licensure, and in lieu thereof, has consented to certain probationary terms and conditions on his license to practice medicine in the State of Mississippi;

NOW THEREFORE, The Mississippi State Board of Medical Licensure with consent of Licensee as signified by his joinder herein, does hereby place the following probationary

terms and conditions on Licensee's Certificate (No.12463) to practice medicine in the State of Mississippi for an indefinite period of time:

1. Licensee shall be authorized to keep and maintain his United States Drug Enforcement Administration Uniform Controlled Substances Registration Certificate, provided Licensee shall not be permitted to order, manufacture, distribute, possess, dispense, administer or prescribe any controlled substances listed in Schedules II, IIN, III, or IIIN, or any other drugs hereafter placed in said schedules to any patient on an out-patient basis until authorized to do so by prior written order of this Board. Licensee shall possess full controlled substances privileges in all schedules for hospital in-patient use only. As used herein "hospital in-patient" means actual admission to a hospital or emergency room. Licensee retains privileges to administer, dispense, or prescribe controlled substances in Schedule IV and V, with the exception of Buprenex (Buprenorphine) or its generic equivalent.
2. Licensee shall comply with all Federal and State laws governing the practice of medicine and shall comply with the rules and regulations of the Board "Pertaining to Prescribing, Administration and Dispensing of Medication," including, but not limited to:
 - a. Licensee shall maintain a complete record of his examination, evaluation and treatment of patients, including documentation of diagnosis and reason for prescribing, dispensing or administering any controlled substances; the name, dose, strength, quantity of the controlled substances; and the date the controlled substances were prescribed, dispensed or administrated.

- b. Licensee shall not prescribe, administer, or dispense any controlled substance or other drug having addiction-forming or addiction-sustaining liability without a good faith prior examination and medical indication therefore.
3. Licensee's practice of medicine shall be subject to periodic surveillance by the Mississippi State Board of Medical Licensure. The Board's Executive Director, any member of the Board or Medical Consultant appointed by the Board, or investigative staff, may perform a patient chart review of a representative sample of those patients treated by Licensee.
4. Within one (1) year of the effective date of this Consent Order, Licensee shall successfully complete the entire course entitled, "*Clinical, Legal and Ethical Issues in Prescribing Abusable Drugs*," sponsored by the University of South Florida or a course of similar content and duration. Further, within one (1) year of the effective date of this Consent Order, Licensee shall successfully complete the course entitled "*Intensive Course in Medical Record Keeping*," presented at Case Western Reserve University, Cleveland, Ohio. During each remaining year of probation, Licensee shall obtain 40 hours of Category One Continuing Medical Education (CME) approved by the American Medical Association in the area of family medicine with emphasis on the use of controlled substances. Following completion of each course, Licensee shall submit to the Board documentary proof of successful completion.

5. Licensee shall obey all federal, state and local laws, and all rules governing the practice of medicine, and shall comply with the rules and regulations of the Board "Pertaining to Prescribing, Administration and Dispensing of Medication." Licensee shall thoroughly familiarize himself with said rules and regulations and shall so indicate to the Board in writing.
6. In the event Licensee should leave Mississippi to reside or to practice outside the State, Licensee shall, within ten (10) days prior to departing, notify the Board in writing the dates of departure and return. Periods of residency or practice outside Mississippi will not apply to the reduction of time periods specified in this Consent Order.
7. Pursuant to Miss. Code Ann. Section 73-25-30, Licensee is hereby assessed all costs of this action. Licensee shall be advised of the total assessment by separate written notification. Licensee must have a certified check or money order made payable to the Mississippi State Board of Medical Licensure on or before forty (40) days from the date of formal approval and acceptance of this Consent Order. Should Licensee fail to submit payment for the total assessed costs by the stated deadline, he will be deemed to have violated the terms of this Consent Order.

Licensee shall have the right to petition the Mississippi State Board of Medical Licensure for release of any or all above enumerated conditions after expiration of one (1) year from the effective day hereof. Thereafter, any right to petition the Board for reconsideration shall be at reasonable intervals, but not less than twelve (12) months from date of last appearance.

This Consent Order shall be subject to approval by the Board. If the Board fails to approve the Consent Order, in whole or in part, it shall have no force or effect on the parties. It is further understood and agreed that the purpose of this Consent Order is to avoid a hearing before the Board. In this regard, Licensee authorizes the Board to review and examine any documentary evidence or material concerning the Licensee prior to or in conjunction with its consideration of this Consent Order. Should the Consent Order not be accepted by the Board, it is agreed that presentation to and consideration of this Consent Order and other documents and matters pertaining thereto by the Board shall not unfairly or illegally prejudice the Board or any of its members from participation in any further proceedings.

Licensee understands and expressly acknowledges that this Consent Order, if approved and executed by the Mississippi State Board of Medical Licensure, shall constitute a public record of the State of Mississippi. Licensee further acknowledges that the Board shall provide a copy of this Order to, among others, the U.S. Drug Enforcement Administration, and the Board makes no representation as to action, if any, which the U. S. Drug Enforcement Administration may take in response to this Order.

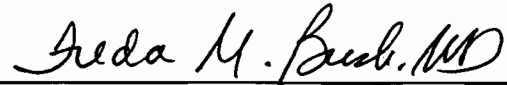
Recognizing his right to notice of charges specified against him, to have such charges adjudicated pursuant to Miss. Code Ann. Section 73-25-27 (1972), to be represented therein by legal counsel of his choice, and to a final decision rendered upon written findings of fact and conclusions of law, Forster G. Ruhl, Jr., M.D., nonetheless, hereby waives his right to notice and a formal adjudication of charges and authorizes the Board to enter an order accepting this Consent Order, thereby placing his license on probation for an indefinite period of time, subject to those terms and conditions enumerated above.

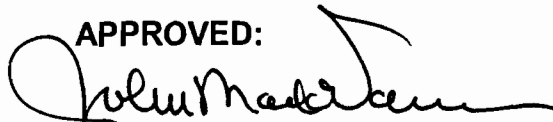
SIGNED this the 10 day of April, 2002.


FORSTER G. RUHL, JR., M.D.

ACCEPTED AND APPROVED, This the 18th day of April, 2002

by the MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE.


By: FREDA M. BUSH,
PRESIDENT

APPROVED:

John Mack Varner, Esq.
Attorney for Forster G. Ruhl, M.D.

COPY

ADMINISTRATIVE PROCEDURES FILING NOTICE

Agency Board of Medical Licensure Person to Contact Rhonda Freeman
Address 1867 Crane Ridge Drive Suite 200B Address _____
Jackson, MS 39216
Phone (601) 987-3079 Transmittal Date April 19, 2002

Copy Attached: Yes No

Name or Number of Rule(s) XXV. Regulations Governing the Practice of Unlicensed Nonresident Physicians

Terms or Substance of the Actions or Description of the Subject and Issues:
See attached.

Printed Name and Title of Person Authorized to File Rules: Rhonda Freeman Division Director II
Name Title

Rhonda Freeman
Signature

EMERGENCY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
<input type="checkbox"/> Original Filing <input type="checkbox"/> Renewal of Effectiveness To Be In Effect _____ Days Effective Date: <input type="checkbox"/> Immediately on <input type="checkbox"/> Other (Specify): _____	Action Proposed: <input checked="" type="checkbox"/> New Rule(s) <input type="checkbox"/> Amendment to Existing Rule(s) <input type="checkbox"/> Repeal of Existing Rule(s) <input type="checkbox"/> Adoption by Reference Proposed Date of Adoption: <input checked="" type="checkbox"/> 30 Days after Filing <input type="checkbox"/> Other (Specify): _____	Action Taken: <input type="checkbox"/> Adopted with No Changes in Text <input type="checkbox"/> Adopted with Changes <input type="checkbox"/> Adopted by Reference <input type="checkbox"/> Withdrawn Date Action Taken _____ Effective Date <input type="checkbox"/> 30 Days After Filing <input type="checkbox"/> Other (Specify): _____

DO NOT WRITE BELOW THIS LINE		
OFFICIAL FILING STAMP	OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
	FILED APR 19 2002 MISSISSIPPI SECRETARY OF STATE	
Accepted for filing by _____	Accepted for filing by <i>[Signature]</i>	Accepted for filing by _____

XXV. REGULATIONS GOVERNING THE PRACTICE BY UNLICENSED NONRESIDENT PHYSICIANS

AUTHORITY: CHAPTERS 25 AND 27, TITLE 73, MISSISSIPPI CODE (1972) ANNOTATED

A. SCOPE

This regulation shall apply to all individuals who practice or who seek to practice medicine or osteopathic medicine in the State of Mississippi pursuant to authority granted in Miss. Code Ann. Section 73-25-19.

B. PURPOSE

Pursuant to Miss. Code Ann. Section 73-25-19, non-resident physicians, not holding a license in the State of Mississippi, shall not be authorized to practice medicine in this state under any circumstances after remaining in the State for five(5) days, except when called in consultation by a licensed physician residing in this state. To implement its responsibility to protect the public, the Mississippi State Board of Medical Licensure shall monitor those non-resident physicians entering into this State to practice medicine pursuant to Section 73-25-19.

C. NOTIFICATION TO BOARD REQUIRED

Regardless of the number of days of anticipated practice, a non-resident physician, not holding a license in the State of Mississippi, shall not be authorized to practice medicine in this State under any circumstances, unless the following conditions have been satisfied:

1. The currently licensed Mississippi physician who needs consultation or assistance must notify the Board in writing of his request to have a non-resident physician practice in this State, setting forth (i) the identity of the non-resident unlicensed physician, (ii) a statement as to the purpose for the assistance/consultation, (iii) the location and address of the anticipated practice, and (iv) anticipated duration of practice.
2. Except in cases of emergencies, the above notification must be submitted to the Board at least seven (7) working days prior to the non-resident unlicensed physician entering into the State.
3. The non-resident unlicensed physician shall submit to the Board written proof of licensure status in good standing, from another state or jurisdiction, along with written proof of medical malpractice liability insurance.

D. INTENT

It is the intent and purpose of this regulation to encourage Mississippi licensed physicians to utilize the services of competent and well trained non-resident/unlicensed physicians on an as needed basis. However, where it is anticipated that the services of the non-resident physicians will be utilized on a routine basis, that is, where the non-resident physicians services will be utilized more than twice during any one year period of time, permanent licensure shall be required.

E. EXCLUSION

This regulation shall not apply to any non-resident physician who holds a temporary license to practice medicine at a youth camp issued under the provisions of Miss. Code Ann. Section 75-74-8 and Section 73-25-17.

F. EFFECTIVE DATE OF REGULATION

The above shall become effective thirty (30) days after final adoption.

MAY 2002

**MINUTES
EXECUTIVE COMMITTEE MEETING
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
MAY 14, 2002**

MEMBERS PRESENT:

Freda M. Bush, M.D., Jackson, President
Robert Ray Smith, M.D., Jackson, Vice President
Dewitt G. Crawford, M.D., Louisville, Secretary
W. Joseph Burnett, M.D., Director

ALSO PRESENT:

Stan T. Ingram, Attorney for the Board
Heather Wagner, Special Assistant Attorney General
Charles Moses, Division Director II, Investigative Division
Rhonda Freeman, Division Director II, Licensure Division
Kathy Fortenberry, Administrative Assistant

The Executive Committee of the Mississippi State Board of Medical Licensure met on Tuesday, May 14, 2002, at 4:00 p.m. in the Executive Conference Room of the Office of the Board located at 1867 Crane Ridge Drive, Jackson, Mississippi.

Dr. Bush introduced Christy Sievert as court reporter. Mr. Ingram welcomed three law students who are working with his firm this summer.

**HEARING IN THE CASE OF MICHAEL ELLIS, M.D., MARSHALL, TEXAS,
MISSISSIPPI MEDICAL LICENSE NUMBER 14160**

Dr. Ellis was present but not represented by legal counsel.

Ms. Wagner questioned Dr. Ellis regarding legal representation, and Dr. Ellis stated he wished to waive his right to an attorney and proceed without legal counsel.

Mr. Ingram explained that Dr. Ellis had been served with an Order of Prohibition on May 4, 2002, and reviewed the charges as outlined in the Summons and Affidavit, which resulted from the termination of his locum tenens privileges at Forrest General Hospital, Hattiesburg. Mr. Ingram entered a number of exhibits.

EXECUTIVE COMMITTEE MINUTES

May 14, 2002

Page 2

Janet Mitchell, Director, Risk Management, Forrest General Hospital, was sworn in and answered questions from Mr. Ingram regarding Exhibits 3 through 16A, which were patient records/slides and a summary of these records/slides, and Exhibit 17, which was a copy of the report to the National Practitioner Data Bank. Ms. Mitchell also answered questions from the Executive Committee members and Dr. Ellis.

Michael D. Hughson, M.D., Professor and Chair, Department of Pathology, University of Mississippi Medical Center, was sworn in. Mr. Ingram entered Dr. Hughson's curriculum vitae as an exhibit, and Dr. Ellis accepted Dr. Hughson as an expert witness. Dr. Hughson's report on the surgical pathology cases he reviewed was entered as an exhibit, and he answered questions from Mr. Ingram, the Executive Committee members, and Dr. Ellis.

THE EXECUTIVE COMMITTEE RECESSED AT 5:45 P.M. AND RECONVENED AT 5:50 P.M.

Dr. Ellis commented that he sensed some irritation in Dr. Bush's voice to which she responded that she did not intend for any irritation to occur in her voice and that the whole purpose was to get clarity and to facilitate the hearing.

Dr. Ellis was sworn in, gave his background, and answered questions from Mr. Ingram and the Executive Committee members.

Motion was made by Dr. Smith, seconded by Dr. Crawford, and carried that the Executive Committee consider going into Executive Session to consider entry of an order which may be appealable. With a motion by Dr. Smith, seconded by Dr. Crawford, and carried, the Executive Committee went into Executive Session.

Upon motion by Dr. Smith, seconded by Dr. Crawford, and carried, the Executive Committee came out of Executive Session at which time Dr. Bush announced to sustain the Order of Prohibition. The Order of the Board is attached hereto and incorporated by reference.

A verbatim account of this proceeding was recorded by Christy Sievert, CSR/RPR.

EXECUTIVE COMMITTEE MINUTES

May 14, 2002

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**GEORGE MAURICE MILLER, JR., M.D., BRENTWOOD, NORTH, CAROLINA,
APPLICANT**

Dr. Burnett reported on some past problems that Dr. Miller, an applicant, had with bariatric surgery. It was the consensus of the Executive Committee members to ask Dr. Miller to send a letter stating that if he desires to apply for this type privileges in the state he must first advise the Board.

**PRACTICE PLAN OF BEN PAUL BRINKLEY, M.D., MISSISSIPPI MEDICAL LICENSE
NUMBER 13453**

Dr. Burnett advised that Dr. Brinkley may possibly be returning to the state to practice and wanted to know if he was to remain under his July 2000 Board Order and its practice plan. It was the consensus of the Executive Committee members that he was to follow this practice plan.

MRPP MEMORANDUM OF UNDERSTANDING

Dr. Burnett reviewed proposed revisions to the MRPP Memorandum of Understanding, which had earlier been referred to the Impaired Physicians Program Ad Hoc Committee for presentation at the July Board meeting. Gary D. Carr, M.D., Medical Director, Mississippi Recovering Physicians Program, has asked for an earlier approval in order for him to make a report at Mississippi State Medical Association annual meeting, which begins May 30. Dr. Burnett advised that the three ad hoc committee members had approved the changes. The Executive Committee will review and advise Dr. Burnett by telephone.

OTHER BUSINESS

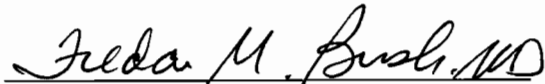
Dr. Burnett reported on a report of another fatal overdose of a patient of John W. McFadden, Jr., M.D., Tupelo, and that the Bureau of Narcotics is developing a task force. Dr. Burnett will be meeting with this group in Tupelo.

EXTENSION OF CME REQUIREMENT

For informational purposes, Dr. Burnett advised that he was giving extensions to December 31, 2002, on obtaining the required CME hours for those requesting it, as was discussed in a telephone conference with the Executive Committee members. A fee of \$50 will be charged for this extension.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:00 p.m.



Freda M. Bush, M.D.
President

Minutes taken and transcribed
by Kathy Fortenberry
Administrative Assistant
May 14, 2002

**EXECUTIVE SESSION
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
MAY 14, 2001**

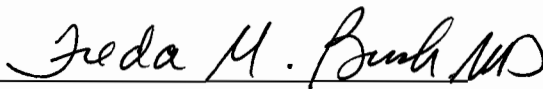
AGENDA ITEM I

**HEARING IN THE CASE OF MICHAEL ELLIS, M.D., MARSHALL, TEXAS,
MISSISSIPPI MEDICAL LICENSE NUMBER 14160**

Motion made by Dr. Smith, seconded by Dr. Crawford, and carried to sustain Order of Prohibition.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Freda M. Bush, M.D.	X			
Dewitt G. Crawford, M.D.	X			
Robert Ray Smith, M.D.	X			

With a motion by Dr. Smith, seconded by Dr. Crawford, the Board came out of Executive Session.



Freda M. Bush, M.D.
President

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE

OF

MICHAEL ELLIS, M.D.

DETERMINATION AND ORDER

THIS MATTER came on regularly for hearing on May 14, 2002, before the Executive Committee of the Mississippi State Board of Medical Licensure, pursuant to Title 73, Chapters 25 and 26, Miss. Code (1972) Annotated. The Board initiated these proceedings on May 4, 2002, by issuance of an Temporary Order of Prohibition, along with a Summons against Michael Ellis, M.D. (hereinafter "Licensee"), charging Licensee with violation of Subsections (8)(d) and (13) of Section 73-25-29; and Subsections (a) and (b) of Section 73-25-83, Miss. Code (1972) Annotated, as amended. The specific allegations were set forth by Affidavit of same date from Angela Lee, Investigator, attached to and made a part of the Summons, wherein Licensee was charged with practicing medicine in such a manner as to impose an immediate threat to the public; professional incompetency in the practice of medicine; and unprofessional conduct, which includes, but is not limited to, any dishonorable or unethical conduct likely to deceive, defraud and harm the public.

The hearing was convened at 4:00 p.m., Licensee being present without counsel. Complaint Counsel for the Board was Honorable Stan T. Ingram. Sitting as legal advisor for the Board was Honorable Heather Wagner, Special Assistant Attorney General. Evidence and testimony was then presented. Based upon the above, the Board renders the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

I.

That on or about February 4, 2002, through February 15, 2002, Licensee was retained as a locum tenens pathologist at Forrest General Hospital in Hattiesburg, Mississippi. Licensee's employment as a locum tenens pathologist was to provide coverage while the full time pathologist, Tim Cole, M.D., was on a week-end vacation, and to help at other times with the pathology case load. Licensee was employed through Comp Health. While on duty at Forrest General Hospital, Licensee reviewed approximately ninety-three (93) biopsy slides for diagnostic purposes. Based on information received by the Risk Management Staff of Forrest General Hospital, suggesting questionable diagnoses from slides reviewed by Dr. Ellis, all 93 slides were submitted for a second opinion, and in some cases a third opinion. Based on the second and third reviews, eight (8) slides were found to have severe or gross discrepancies. As a result of prompt intervention by the Risk Management Staff of Forrest General Hospital, no patients were harmed.

II.

That on or about March 8, 2002, Janet Mitchell, Risk Manager for Forrest General Hospital, advised the Mississippi State Board of Medical Licensure that the privileges granted to Dr. Ellis to perform locum tenens pathology services had been terminated.

III.

At the hearing, the Board heard the testimony of Michael Hughson, M.D., Chairman of the Department of Pathology of the University of Mississippi School of Medicine. Dr.

Hughson was designated to act for the Board and review the pathology cases pursuant to Mississippi Code Ann. Section 73-25-85. Dr. Hughson reviewed thirteen (13) of the ninety-three (93) pathology cases handled by Licensee at Forrest General Hospital. The thirteen (13) cases represented those which Risk Management found to have either severe or moderate deviations from the standard of care. Out of the thirteen (13) reports, Dr. Hughson requested the pathology slides for seven (7). In each case, Dr. Hughson testified that Licensee had clearly failed to meet the standard of care. So severe were the mis-diagnoses, that Dr. Hughson's written report concluded as follows:

"In these cases, Dr. Ellis made diagnoses of malignancy or invasive malignancy. In our review and in the review of others, they showed only benign tissue or in case SO2-1095 showed papillary in-situ urothelial carcinoma but no invasive carcinoma. Dr. Ellis consistently and inexplicably diagnosed benign conditions as malignant. These are serious errors that should not be made by a competent pathologist at any level of experience. If I am being asked whether he is still competent to practice pathology, on the basis of this review, I have to say that he is not....."

It is significant to note that Dr. Hughson was not alone in his opinion. The same pathology slides and records were reviewed by the weekly staff conference of the University of Mississippi School of Medicine Department of Pathology. They concurred in his findings.

IV.

At the hearing, Licensee did not offer any evidence to rebut the testimony of Dr. Hughson. While acknowledging that he made some mistakes, Licensee attempted to place responsibility for the mis-diagnoses on Dr. Cole, adding that Dr. Cole may have been trying

to "frame" him. However, Licensee introduced no evidence to confirm his testimony, other than the bare allegation that Dr. Cole knew and had access to his computer signature.

Also testifying was Mrs. Janet Mitchell, Director of Risk Management for Forrest General Hospital. According to Mitchell, each of the thirteen (13) pathology reports submitted to the Board were in fact those rendered by Licensee, and no one else. She further testified that the pathological findings for each patient was dictated by Licensee to a medical transcriptionist on staff at Forrest General, who then noted the name of Licensee on each report. During the hearing, this Board heard almost two (2) hours worth of testimony from Licensee, who carried a very distinct voice. We conclude that the evidence clearly establishes that Licensee was the author of each pathology report.

CONCLUSIONS OF LAW

Based upon the Findings of Fact as enumerated above, Licensee is guilty of practicing medicine in such a manner as to impose an immediate threat to the public; professional incompetency in the practice of medicine; and unprofessional conduct, which includes, but is not limited to, any dishonorable or unethical conduct likely to deceive, defraud and harm the public; all in violation of Subsections (8)(d) and (13) of Section 73-25-29 and Subsections (a) and (b) of Section 73-25-83, Miss. Code (1972) Annotated, as amended.

ORDER

IT IS HEREBY ORDERED, that based upon the Findings of Fact and Conclusions of Law enumerated above, Michael Ellis, M.D. is hereby indefinitely prohibited from practicing medicine in the State of Mississippi.

IT IS FURTHER ORDERED, that pursuant to Section 73-25-27, a copy of this Determination and Order shall be sent by registered mail, or personally served upon Michael Ellis, M.D. Because Licensee was informed of this decision following Board deliberations, the Order shall be given immediate effect.

SO ORDERED, this the 14th day of May, 2002.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY: *Freda M. Bush MD*
FREDA M. BUSH, M.D.
PRESIDENT

MAY 2002

**EXECUTIVE COMMITTEE
MEETING ONLY**

JUNE 2002

**MINUTES
EXECUTIVE COMMITTEE MEETING
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
JUNE 19, 2002**

MEMBERS PRESENT:

Robert Ray Smith, M.D., Jackson, Vice President
Dewitt G. Crawford, M.D., Louisville, Secretary
W. Joseph Burnett, M.D., Director

ALSO PRESENT:

Charles Moses, Division Director II, Investigative Division
Rhonda Freeman, Division Director II, Licensure Division
Kathy Fortenberry, Administrative Assistant
Frances Scott, Special Projects Officer, Investigative Division

NOT PRESENT:

Freda M. Bush, M.D., Jackson, President

The Executive Committee of the Mississippi State Board of Medical Licensure met on Wednesday, June 19, 2002, at 4:10 p.m. in the Executive Conference Room of the Office of the Board located at 1867 Crane Ridge Drive, Jackson, Mississippi.

**REQUEST FOR REMOVAL OF RESTRICTIONS - MICHEAL LEO BAKER, D.O.,
VICKSBURG, MISSISSIPPI MEDICAL LICENSE NUMBER 15475**

Dr. Burnett presented a request from Dr. Baker for removal of all restrictions on his license in order for him to obtain a Michigan license to begin a residency training program. Motion was made by Dr. Smith and seconded by Dr. Crawford to remove all restrictions. The Order of the Board is attached hereto and incorporated by reference.

**REQUEST FOR RELEASE FROM PRACTICE PLAN - NORMAN LEE YATES, III, M.D.,
ALBUQUERQUE, NEW MEXICO, MISSISSIPPI MEDICAL LICENSE NUMBER 15466**

Dr. Burnett reviewed a letter from Dr. Yates, requesting release from his non-disciplinary practice plan. Motion was made by Dr. Smith and seconded by Dr. Crawford to terminate his practice plan. Dr. Burnett will advise Dr. Yates by mail of this decision.

EXECUTIVE COMMITTEE MINUTES

June 19, 2002

Page 2

VAN LEMUEL LACKEY, M.D., JACKSON, MISSISSIPPI MEDICAL LICENSE NUMBER 06430

A determination and authority to inspect and copy records of Dr. Lackey was executed by the Executive Committee at their April 17, 2002, meeting. After discussing this case, it was the consensus of the Executive Committee members to have Dr. Lackey appear informally at the July 17, 2002, Executive Committee meeting.

HARTMUT USCHMANN, M.D., UNIVERSITY OF MISSISSIPPI MEDICAL CENTER, APPLICANT

Dr. Burnett presented a letter from Dr. Uschmann, requesting that an exception be made to the seven-year rule for passing all three steps of USMLE. Dr. Uschmann was not aware of this regulation, in addition to his wife having cancer, and failed to complete all three steps in the time period. It was the consensus of the Executive Committee members to waive the regulation under these limited circumstances and allow Dr. Uschmann to proceed with taking USMLE Step III.

CORRESPONDENCE FROM CALVIN SANDER ENNIS, M.D., ESCATAWPA, MISSISSIPPI MEDICAL LICENSE NUMBER 08202

Dr. Burnett reviewed correspondence from Dr. Ennis regarding Dr. Patrick S. Bynum, who shared an office with Dr. Ennis. Dr. Ennis is very upset over Dr. Bynum taking patient files when he relocated his practice. Dr. Burnett advised that a letter had been written to Dr. Ennis that this was a legal matter which he and his attorney should decide how they wanted to deal with the situation.

BRENT HARRISON, M.D., UNIVERSITY OF MISSISSIPPI MEDICAL CENTER MANPOWER SHORTAGE

Dr. Burnett reported on a telephone call from Dr. Harrison concerning the manpower shortage in radiology, which has been discussed at prior Executive Committee and Board meetings. Dr. Burnett has advised Dr. Harrison that legislation will be filed next year to create a Limited Faculty Medical License, which will hopefully help with this problem. This new license was approved at the February 21, 2002, Board meeting for legislative filing.

EXECUTIVE COMMITTEE MINUTES

June 19, 2002

Page 3

PERSONAL APPEARANCE BY WILLIAM MELVIN FLOWERS, JR., M.D., JACKSON, MISSISSIPPI MEDICAL LICENSE NUMBER 03883, TO REQUEST REMOVAL OF RESTRICTIONS

Dr. Burnett reviewed Dr. Flowers' background and history leading to the disciplinary action taken in 1986 on his medical license. Dr. Flowers joined the meeting but was not represented by legal counsel. Dr. Flowers was not aware there were still restrictions on his license. Following discussion and questions by the Executive Committee members, motion was made by Dr. Smith and seconded by Dr. Crawford to remove all restrictions. The Order of the Board is attached hereto and incorporated by reference.

TELEMEDICINE

Mrs. Freeman reported on a call from Medical Assurance regarding the following scenario. A family practitioner is sending his x-rays to an in-state radiologist to be read. The radiologist goes on vacation and sends the x-rays to an unlicensed out-of-state radiologist. It was the consensus of the Executive Committee members that the out-of-state physician would be practicing medicine without a license.

SECOND MAIL-OUT OF ANNUAL RENEWALS

Mrs. Freeman advised that 1,629 physicians had not renewed as of this date. Because of the number not renewed, Mrs. Freeman asked for the Executive Committee's approval, which they gave, for second notices to be mailed on July 15 with instructions that a renewal form could be downloaded from the Board's web site. If the physician elects not to download the form, a fee of \$10 will be charged to mail another one.

LIST OF BOARD MEMBERS ON WEB SITE

Because of calls received by the Board staff requesting a list of Board members, the staff was asking permission to make this available to the public on the Board's web site. The Executive Committee asked that this be taken to the full Board for a decision.

EXECUTIVE COMMITTEE MINUTES

June 19, 2002

Page 4

POLICY STATEMENT - UNREFERRED DIAGNOSTIC SCREENING TESTS

Dr. Burnett and Mr. Moses reviewed a proposed policy statement on unREFERRED diagnostic screening tests. The Executive Committee asked that this be presented to the full Board at the July meeting.

DR. BUSH JOINED THE MEETING AT 4:55 P.M.

APPROVAL OF BETTY FORD RECOVERY CENTER, PALM SPRINGS, CALIFORNIA

Dr. Burnett presented a letter from Gary D. Carr, M.D., Medical Director, Mississippi Recovering Physicians Program, requesting approval of the Betty Ford Recovery Center, Palm Springs, California, as an approved treatment site for Mississippi physicians. It was the consensus of the Executive Committee members to add this facility to the list of approved treatment centers.

PERSONAL APPEARANCE BY GREGORY LEE JERKINS, M.D., NEW ORLEANS, LA, APPLICANT

Dr. Burnett explained there had been some concern about Dr. Jerkins' application for licensure since he had resigned hospital privileges in California. Dr. Jerkins joined the meeting but was not represented by legal counsel. He executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference. He gave a brief summary of his background, education, etc., and answered questions from the Executive Committee members and Dr. Burnett. It was the consensus of the Executive Committee members to issue Dr. Jerkins an unrestricted license.

PERSONAL APPEARANCE BY DANIEL K. KIM, M.D., UNIVERSITY OF MISSISSIPPI MEDICAL CENTER, MISSISSIPPI MEDICAL LICENSE NUMBER 17329

Dr. Burnett reviewed the background and disciplinary action against Dr. Kim, who was issued a license in July 2001 based on conditions of a Consent Order, which limited his practice to Southern Eye Center, Hattiesburg, Mississippi. He was to obtain permission from the Board before going to another practice location. On his renewal form, he indicated he was practicing at the University of Mississippi Medical Center, of which the Board was not aware.

Dr. Kim joined the meeting but was not represented by legal counsel. He executed a written agreement for this informal meeting, a copy of which is

EXECUTIVE COMMITTEE MINUTES

June 19, 2002

Page 5

attached hereto and incorporated by reference. After answering questions from the Executive Committee members and Dr. Burnett, Dr. Kim was agreeable to an amendment to his Consent Order. The Supplemental Consent Order is attached hereto and incorporated by reference.

**CURTIS CAINE, M.D., BRANDON, MISSISSIPPI MEDICAL LICENSE
NUMBER 02751 - CONTINUING MEDICAL EDUCATION REQUIREMENT**

Dr. Burnett presented correspondence from Dr. Caine, voicing his objections to obtaining the required 40 hours of CME. The Executive Committee instructed Dr. Burnett to write Dr. Caine a letter explaining to him that there were other prominent physicians in the state getting the required number of hours. Dr. Caine will be given the six-month extension in order to obtain these hours.


OTHER BUSINESS

Mrs. Scott asked what was to be done about the interview process, which was changed in the new nurse practitioner regulation. It was the consensus of the Executive Committee members that those currently under an existing protocol do not have to appear for an interview, but all those with a new or changed location must come in for an interview.

Dr. Bush asked about correspondence she had received from Dr. Allen Gersh, Hattiesburg, who is to meet with the Executive Committee in July regarding dialysis technicians. Dr. Burnett was asked to write Dr. Gersh for statistical information on why he thought a change regarding the supervision of dialysis technicians should be made.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:15 p.m.



Freda M. Bush, M.D.

President

Minutes taken and transcribed
by Kathy Fortenberry
Administrative Assistant
June 19, 2002

**BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
IN THE MATTER OF THE PHYSICIAN'S LICENSE
OF
MICHAEL LEO BAKER, D.O.**

ORDER REMOVING ALL RESTRICTIONS

THIS MATTER came on regularly for consideration on June 19, 2002, before the Executive Committee of the Mississippi State Board of Medical Licensure, in response to the request of Michael Leo Baker, M.D. (hereinafter "Licensee"), seeking removal of all restrictions on his license to practice medicine imposed by virtue of that certain Consent Order dated September 20, 2000. Licensee's request was considered in absentia. The Executive Committee, after hearing said request, finds the same to be well-taken.

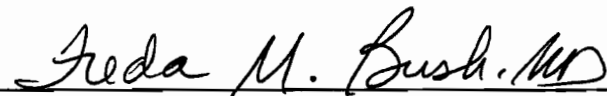
IT IS HEREBY ORDERED, that Licensee's request for removal of all restrictions is hereby granted. Licensee now holds an unrestricted license to practice medicine in the State of Mississippi.

IT IS FURTHER ORDERED, that pursuant to Miss. Code Ann. Sections 73-25-27 and 73-25-32 (1972), a copy of this Order shall be sent by registered mail or personally served upon Michael Leo Baker, M.D.

ORDERED, this the 19th day of June, 2002.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY:



**FREDA M. BUSH, M.D.
PRESIDENT**

**BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
IN THE MATTER OF THE PHYSICIAN'S LICENSE
OF
WILLIAM MELVIN FLOWERS, JR., M.D.**

ORDER REMOVING ALL RESTRICTIONS

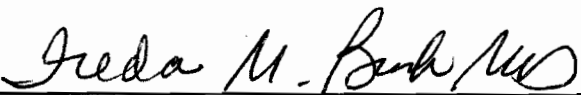
THIS MATTER came on regularly for consideration on June 19, 2002, before the Executive Committee of the Mississippi State Board of Medical Licensure, in response to the request of William Melvin Flowers, Jr., M.D. (hereinafter "Licensee"), seeking removal of all restrictions on his license to practice medicine, said restrictions imposed through surrender of certain controlled substances privileges. Licensee appeared in person without counsel. The Executive Committee, after hearing said request, finds the same to be well-taken.

IT IS HEREBY ORDERED, that Licensee's request for removal of all restrictions is hereby granted. Licensee now holds an unrestricted license to practice medicine in the State of Mississippi.

IT IS FURTHER ORDERED, that pursuant to Miss. Code Ann. Sections 73-25-27 and 73-25-32 (1972), a copy of this Order shall be sent by registered mail or personally served upon William Melvin Flowers, Jr., M.D.

ORDERED, this the 19th day of June, 2002.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY: 

**FREDA M. BUSH, M.D.
PRESIDENT**

AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE

I, **Gregory L. Jerkins, M.D.**, have requested an opportunity to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss possible resolution of a pending disciplinary matter/investigation or to respond to a complaint duly received by the Board. It is the purpose of the informal meeting to discuss the facts of the case, to give me an opportunity to ask questions of the Committee or its staff, and to give the Committee or its staff an opportunity to ask questions of me. Because the meeting is informal, no disciplinary action will be taken without my express written consent. In so doing, I have been advised and understand the following:

1. During the meeting, the Executive Committee may or may not be represented by legal counsel. Notwithstanding, I understand that I have a right, if I so choose, to employ legal counsel and have counsel present during the informal meeting.
2. I authorize the Committee Members to review and examine any statements, documentary evidence, or materials concerning the allegations during my Informal appearance.
3. Because the purpose of my appearance is to avoid a hearing before the Board, I agree that presentation to and consideration by the Committee of any facts, matters, and documents pertaining to my case shall not unfairly or illegally prejudice the Committee members from further participation or consideration in the event a formal disciplinary hearing is later conducted. Stated differently, in the event the pending matter is not resolved following my appearance before the Committee, I will not object to any of the Committee members from further participating in subsequent meetings or hearings that may be conducted in relation to this matter.
4. By signing my name in the space provided below, I hereby authorize the Executive Committee to proceed with the informal appearance, subject to the stipulations and understandings as noted above. I have elected to proceed:

___ with legal counsel present (name of counsel: _____)

X without legal counsel present

EXECUTED, this the 12th day of JUNE, 2002.

Witness: *[Signature]*

Gregory L. Jerkins, M.D.
GREGORY L. JERKINS, M.D.



AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE

I, Daniel K. Kim, M.D., have been requested to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss possible resolution of a pending disciplinary matter/investigation or to respond to a complaint duly received by the Board. It is the purpose of the informal meeting to discuss the facts of the case, to give me an opportunity to ask questions of the Committee or its staff, and to give the Committee or its staff an opportunity to ask questions of me. Because the meeting is informal, no disciplinary action will be taken without my express written consent. In so doing, I have been advised and understand the following:

- 1. During the meeting, the Executive Committee may or may not be represented by legal counsel. Notwithstanding, I understand that I have a right, if I so choose, to employ legal counsel and have counsel present during the informal meeting.

I authorize the Committee Members to review and examine any statements, documentary evidence, or materials concerning the allegations during my informal appearance.

Because the purpose of my appearance is to avoid a hearing before the Board, I agree that presentation to and consideration by the Committee of any facts, matters, and documents pertaining to my case shall not unfairly or illegally prejudice the Committee members from further participation or consideration in the event a formal disciplinary hearing is later conducted. Stated differently, in the event the pending matter is not resolved following my appearance before the Committee, I will not object to any of the Committee members from further participating in subsequent meetings or hearings that may be conducted in relation to this matter.

- 4. By signing my name in the space provided below, I hereby authorize the Executive Committee to proceed with the informal appearance, subject to the stipulations and understandings as noted above. I have elected to proceed:

___ with legal counsel present (name of counsel: _____)

without legal counsel present

EXECUTED, this the 11 day of June, 2002.

Daniel K. Kim, M.D.

Witness: Asubh

Dr. Chen has a previous appointment he cannot get out off. I will be bringing a letter of support from him.



BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE APPLICATION FOR LICENSURE

OF

DANIEL KIHONG KIM, M.D.

SUPPLEMENTAL CONSENT ORDER

WHEREAS, On November 16, 2000, Daniel KiHong Kim, M.D. (hereinafter referred to as "Licensee"), completed an application for a license to practice medicine in the State of Mississippi; and

WHEREAS, as a condition of receiving a license to practice medicine in the State of Mississippi, Licensee and Board entered into a Consent Order on July 19, 2001, thereby placing certain restrictions on his license as issued; and

WHEREAS, one of the restrictions imposed by the aforementioned Consent Order limited Licensee's practice for a period of at least one (1) year to the Southern Eye Center, Hattiesburg, Mississippi, under the supervision of Lynn B. McMahan, M.D.; and

WHEREAS, subsequent to the aforementioned Consent Order, Licensee did not locate his practice at the Southern Eye Center, Hattiesburg, Mississippi, but now wishes to demonstrate his competence through a structured and supervised practice at the University of Mississippi Medical Center;

NOW THEREFORE, the Mississippi State Board of Medical Licensure, with consent of Licensee as signified by his joinder herein, does hereby supplement the July 19, 2002 Consent Order by adding the following enumerated restrictions, to-wit:

1. In lieu of practicing at the Southern Eye Center, Hattiesburg, Mississippi, Licensee's practice shall, for a period of at least one (1) year from the date hereof, be limited to the University of Mississippi Medical Center; Jackson, Mississippi, under the supervision of Ching J. Chen, M.D. Licensee's practice shall be supervised by Dr. Chen in all aspects of diagnosis, treatment, patient management and care.

2. Licensee shall submit or cause to be submitted quarterly reports from Dr. Chen addressing Licensee's performance. The first report shall be due on or before September 30, 2002, with subsequent reports due December 31, March 31 and June 30 of each calendar year, including a report on any medication being prescribed to Licensee. Failure to submit or have such reports submitted in a timely manner shall constitute a violation of this Order.
3. Except as amended by this Order, all other terms and conditions set forth in the July 19, 2001 Consent Order shall remain in full force and effect.

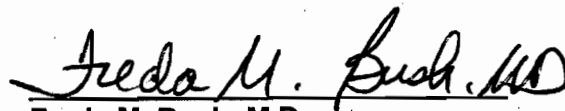
Licensee shall have the right to petition the Mississippi State Board of Medical Licensure for release of any or all of the above enumerated conditions after the expiration of one (1) year from the effective date hereof. Thereafter, any right to petition the Board for reconsideration shall be at reasonable intervals, but not less than twelve (12) months from date of last appearance.

Licensee understands and expressly acknowledges that this Supplemental Consent Order shall constitute a public record of the State of Mississippi.

SIGNED this the 19th day of June, 2002.


Daniel KiHong Kim, M.D.
Daniel KiHong Kim, M.D.

ACCEPTED AND APPROVED, this the 19th day of June, 2002, by the **MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE**.


Freda M. Bush, M.D.
Freda M. Bush, M.D.
President

JUNE 2002

**EXECUTIVE COMMITTEE
MEETING ONLY**

JULY 2002

**MINUTES
EXECUTIVE COMMITTEE MEETING
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
JULY 17, 2002**

MEMBERS PRESENT:

Robert Ray Smith, M.D., Jackson, President-Elect
Dewitt G. Crawford, M.D., Louisville, Vice President
William B. Harper, D.O., Greenwood, Secretary
W. Joseph Burnett, M.D., Director

ALSO PRESENT:

Charles Moses, Division Director II, Investigative Division
Rhonda Freeman, Division Director II, Licensure Division
Kathy Fortenberry, Administrative Assistant
Frances Scott, Special Projects Officer, Investigative Division

NOT PRESENT:

Freda M. Bush, M.D., President

The Executive Committee of the Mississippi State Board of Medical Licensure met on Wednesday, July 17, 2002, at 4:10 p.m. in the Executive Conference Room of the Office of the Board located at 1867 Crane Ridge Drive, Jackson, Mississippi.

PERSONAL APPEARANCE BY ALLEN GERSH, M.D., HATTIESBURG, TO DISCUSS DIALYSIS TECHNICIANS

Dr. Gersh and a large number of nephrologists from across the state, as well as employees of various dialysis clinics, met with the Executive Committee to discuss their concerns regarding dialysis technicians. Dr. Gersh addressed the Executive Committee, stating they currently are using registered nurses for the job as mandated by the Board of Nursing. The shortage of nurses is presenting a great problem in keeping these vacancies filled, and it usually takes two months to fill these vacancies. Dr. Gersh stated they would like to train and certify the technicians, who would work under a protocol with the physician.

Also addressing the Executive Committee were Catherine Preston, R.N., who presented the viewpoint from a nurse's position; Steve O'Bryan, administrator for a renal care group in the state; Pat Brunson, R.N., who trains patients to perform

EXECUTIVE COMMITTEE MINUTES

July 17, 2002

Page 2

their treatments at home; Jack Reed, M.D., nephrologist; and Linda McMullan, legal counsel for the Mississippi State Medical Association.

DR. BUSH JOINED THE MEETING AT 4:30 P.M.

Following discussion and questions, motion was made by Dr. Crawford, seconded by Dr. Harper, and carried to adopt the proposed Recognition of Authority, which will be presented to the full Board on Thursday.

PERSONAL APPEARANCE BY MTANIUS A. SULTANI, M.D., CLARKSDALE, MISSISSIPPI MEDICAL LICENSE NUMBER 15212, TO REQUEST REMOVAL OF RESTRICTIONS

Ms. Scott presented a brief chronological summary of Dr. Sultani's background leading to the disciplinary action taken on his medical license.

Dr. Sultani joined the meeting but was not represented by legal counsel. He addressed the Executive Committee members and presented his request for removal of all restrictions. Following questions by the Executive Committee members, motion was made by Dr. Crawford, seconded by Dr. Bush, and carried to remove all restrictions. The Order of the Board is attached hereto and incorporated by reference.

PERSONAL APPEARANCE BY JERRY ROSS ADKINS, M.D., BILOXI, MISSISSIPPI MEDICAL LICENSE NUMBER 04305, TO REQUEST REMOVAL OF RESTRICTIONS

Dr. Burnett reviewed Dr. Adkins' background leading to the disciplinary action taken on his medical license.

Dr. Adkins joined the meeting but was not represented by legal counsel. He addressed the Executive Committee members and presented his request for removal of all restrictions. Following questions by the Executive Committee members, motion was made by Dr. Crawford, seconded by Dr. Harper, and carried to remove all restrictions on Dr. Adkins' license. The Order of the Board is attached hereto and incorporated by reference.

EXECUTIVE COMMITTEE MINUTES

July 17, 2002

Page 3

VAN LEMUEL LACKEY, M.D., JACKSON, MISSISSIPPI MEDICAL LICENSE NUMBER 06430

A determination and authority to inspect and copy records of Dr. Lackey was executed by the Executive Committee at their April 2002, meeting. At their June 19, 2002, meeting, the Executive Committee members agreed to invite Dr. Lackey to appear informally at the next meeting. Dr. Burnett advised that he had written Dr. Lackey, who could not attend because of a planned vacation out of town. He will be invited to appear at the next Executive Committee meeting.

JOHN BERTRAND DAVIS, M.D., FORT MYERS, FLORIDA, MISSISSIPPI MEDICAL LICENSE NUMBER 09100

Dr. Davis was not present or represented by legal counsel.

Dr. Burnett advised that disciplinary action had been taken on Dr. Davis' license to mirror action taken by the Florida Board and that Dr. Davis is now in compliance with the Florida Board Order. Motion was made by Dr. Crawford, seconded by Dr. Harper, and carried to remove all restrictions on Dr. Davis' license. The Order of the Board is attached hereto and incorporated by reference.

TIMOTHY ALLEN WHITTLE, M.D., HATTIESBURG, MISSISSIPPI MEDICAL LICENSE NUMBER 11439

Dr. Burnett advised that Dr. Whittle's case would be presented to the Board at the September meeting.

MRPP #0094

For informational purposes only, Dr. Burnett reported that this MRPP physician, who was suspected of relapsing, has filed a suit against the Board and MRPP. He has complied with all the MRPP requirements, except a polygraph test, and will be monitored closely. The suit will be dismissed with prejudice.

OTHER BUSINESS

Dr. Burnett advised that the Board's FY2004 budget for \$1,796,139 would be presented to the full Board on Thursday. Included in this is a five percent increase in the Executive Director's salary. Motion was made by Dr. Harper, seconded by Dr. Crawford, and carried to approve this increase.

EXECUTIVE COMMITTEE MINUTES
July 17, 2002
Page 4

REVIEW OF JULY 18 BOARD AGENDA

Dr. Burnett briefly reviewed Thursday's agenda with each Executive Committee member prior to the meeting.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:00 p.m.



Robert Ray Smith, M.D.
President

Minutes taken and transcribed
by Kathy Fortenberry
Administrative Assistant
July 17, 2002

**BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
IN THE MATTER OF THE PHYSICIAN'S LICENSE
OF
MTANIUS A. SULTANI, M.D.**

ORDER REMOVING ALL RESTRICTIONS

THIS MATTER came on regularly for consideration on July 17, 2002, before the Executive Committee of the Mississippi State Board of Medical Licensure, in response to the request of Mtanius A. Sultani, M.D. (hereinafter "Licensee"), seeking removal of all restrictions on his license to practice medicine imposed by virtue of that certain Consent Order dated May 18, 2001. The Executive Committee, after hearing said request, finds the same to be well-taken.

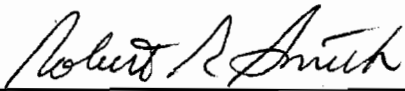
IT IS HEREBY ORDERED, that Licensee's request for removal of all restrictions is hereby granted. Licensee now holds an unrestricted license to practice medicine in the State of Mississippi.

IT IS FURTHER ORDERED, that pursuant to Miss. Code Ann. Sections 73-25-27 and 73-25-32 (1972), a copy of this Order shall be sent by registered mail or personally served upon Mtanius A. Sultani, M.D.

ORDERED, this the 17th day of July, 2002.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY:



**ROBERT RAY SMITH, M.D.
PRESIDENT**

**BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
IN THE MATTER OF THE PHYSICIAN'S LICENSE
OF
JERRY ROSS ADKINS, M.D.**

ORDER REMOVING ALL RESTRICTIONS

THIS MATTER came on regularly for consideration on July 17, 2002, before the Executive Committee of the Mississippi State Board of Medical Licensure, in response to the request of Jerry Ross Adkins, M.D. (hereinafter "Licensee"), seeking removal of all restrictions on his license to practice medicine imposed by virtue of that certain Consent Order dated July 19, 2001. The Executive Committee, after hearing said request, finds the same to be well-taken.

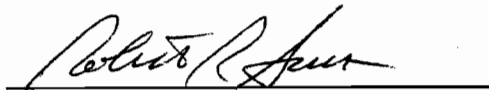
IT IS HEREBY ORDERED, that Licensee's request for removal of all restrictions is hereby granted. Licensee now holds an unrestricted license to practice medicine in the State of Mississippi.

IT IS FURTHER ORDERED, that pursuant to Miss. Code Ann. Sections 73-25-27 and 73-25-32 (1972), a copy of this Order shall be sent by registered mail or personally served upon Jerry Ross Adkins, M.D.

ORDERED, this the 17th day of July, 2002.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY:



**ROBERT RAY SMITH, M.D.
PRESIDENT**

**BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
IN THE MATTER OF THE PHYSICIAN'S LICENSE**

OF

JOHN BERTRAND DAVIS, M.D.

ORDER REMOVING ALL RESTRICTIONS

THIS MATTER came on regularly for consideration on July 17, 2002, before the Executive Committee of the Mississippi State Board of Medical Licensure, in response to the request of John Bertrand Davis, M.D. (hereinafter "Licensee"), seeking removal of all restrictions on his license to practice medicine imposed by virtue of that certain Consent Order dated December 20, 2001. The Executive Committee, after hearing said request, finds the same to be well-taken.

IT IS HEREBY ORDERED, that Licensee's request for removal of all restrictions is hereby granted. Licensee now holds an unrestricted license to practice medicine in the State of Mississippi.

IT IS FURTHER ORDERED, that pursuant to Miss. Code Ann. Sections 73-25-27 and 73-25-32 (1972), a copy of this Order shall be sent by registered mail or personally served upon John Bertrand Davis, M.D.

ORDERED, this the 17th day of July, 2002.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY:



**ROBERT RAY SMITH, M.D.
PRESIDENT**

**BOARD MINUTES
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
JULY 18, 2002**

The regularly scheduled meeting of the Mississippi State Board of Medical Licensure was held on Thursday, July 18, 2002, in the Executive Conference Room of the Office of the Board located at 1867 Crane Ridge Drive, Jackson, Mississippi.

The following members were present:

Freda M. Bush, M.D., Jackson, President
Robert Ray Smith, M.D., Jackson, President-Elect
Dewitt G. Crawford, M.D., Louisville, Vice President
William B. Harper, D.O., Greenwood, Secretary
Frank W. Bowen, M.D., Carthage
Paul Douglas Jackson, M.D., Greenville
Henry J. Sanders, M.D., McComb
W. Joseph Burnett, M.D., Director

Also present:

Stan T. Ingram, Attorney for the Board
Heather Wagner, Special Assistant Attorney General
Charles Moses, Division Director II, Investigative Division
Kathy Fortenberry, Administrative Assistant
Regina Lyle, Administrative Assistant

Not present:

William H. Henderson, M.D., Oxford
Joseph E. Johnston, M.D., Mount Olive

The meeting was called to order at 9:00 a.m. by Dr. Bush, President, who gave the invocation.

Harvey J. Rayborn, Certified Court Reporter, administered the oath of office to the following Board members: William B. Harper, D.O., Greenwood, representing the Third Supreme Court District; Henry J. Sanders, M.D., McComb, representing the Second Supreme Court District; and Robert R. Smith, M.D., Jackson, representing the First Supreme Court District. Copies of the Oath of Office are attached hereto and incorporated by reference. Each six-year term begins July 1, 2002, and ends June 30, 2008.

BOARD MINUTES

July 18, 2002

Page 2

Dr. Bush passed the gavel to Dr. Smith, transferring the office of President of the Board to him. On behalf of the Board, Dr. Smith presented Dr. Bush with an engraved gavel and expressed appreciation to her for her service as President of the Board.

Dr. Burnett read an acknowledgment from Hospice Ministries for the memorial contribution given by Board members and staff in memory of Thomas E. Stevens, M.D., former Executive Officer of the Board. He also advised that the Board had received a thank-you note from Mrs. Stevens.

Mr. Moses introduced a new member of his staff, Charles (Chuck) Ware, Investigator.

APPROVAL OF CERTIFICATION OF MISSISSIPPI LICENSES TO OTHER ENTITIES FOR THE PERIOD APRIL 1, 2002, TO JUNE 30, 2002

Two hundred six (206) licenses were certified to other entities for the period April 1, 2002, to June 30, 2002. Motion was made by Dr. Crawford, seconded by Dr. Bowen, and carried unanimously to approve these certifications.

APPROVAL OF LICENSES ISSUED FOR THE PERIOD APRIL 1, 2002, TO JUNE 30, 2002

One hundred twenty-five (125) licenses were issued for the period April 1, 2002, to June 30, 2002. Motion was made by Dr. Bowen, seconded by Dr. Harper, and carried unanimously to approve these licenses.

REVIEW OF MINUTES OF THE EXECUTIVE COMMITTEE MEETING DATED APRIL 17, 2002, AND MINUTES OF THE BOARD MEETING DATED APRIL 18, 2002

Minutes of the Executive Committee Meeting dated April 17, 2002, and Minutes of the Board Meeting dated April 18, 2002, were reviewed. Dr. Crawford moved for approval of the minutes as submitted. Dr. Bowen seconded the motion, and it carried. Dr. Sanders abstained.

DR. JOHNSTON JOINED THE MEETING AT 9:20 A.M.

BOARD MINUTES

July 18, 2002

Page 3

REVIEW OF MINUTES OF THE EXECUTIVE COMMITTEE MEETING DATED MAY 14, 2002

Minutes of the Executive Committee Meeting dated May 14, 2002, were reviewed. Dr. Bush moved for approval of the minutes as submitted. Dr. Harper seconded the motion, and it carried. Dr. Sanders abstained.

REVIEW OF MINUTES OF THE EXECUTIVE COMMITTEE MEETING DATED JUNE 19, 2002

Minutes of the Executive Committee Meeting dated June 19, 2002, were reviewed. Dr. Burnett distributed copies, which included an addition to those sent out in the agendas. Dr. Crawford moved for approval of the minutes as submitted. Dr. Harper seconded the motion, and it carried. Dr. Sanders abstained.

REPORT OF JULY 17, 2002, EXECUTIVE COMMITTEE MEETING

Dr. Burnett advised that the Executive Committee approved the removal of all restrictions for the following physicians: Mtanius A. Sultani, M.D., Clarksdale; Jerry Ross Adkins, M.D., Biloxi; and John Bertrand Davis, M.D., Fort Myers, Florida.

Dr. Burnett reported that the Executive Committee met with Allen Gersh, M.D., Hattiesburg, and a large number of nephrologists and employees of various dialysis clinics to discuss their concerns regarding dialysis technicians. Registered nurses are currently used, but the shortage of nurses is presenting a problem. The group meeting with the Executive Committee would like to train and certify the technicians, who would work under a protocol with the physician. The proposed Recognition of Authority, which was adopted by the Executive Committee, was presented to the full Board for their review. Motion was made by Dr. Crawford, seconded by Dr. Harper, and carried to adopt, a copy of which is attached hereto and incorporated by reference. Dr. Johnston opposed.

Dr. Burnett presented other informational items, which are reflected in the Executive Committee Minutes.

REPORTS FROM AD HOC COMMITTEES

Alternative Medicine - This committee report was deferred until later in the meeting for discussion of the ***Regulation Governing Chelation Therapy***.

BOARD MINUTES

July 18, 2002

Page 4

Telemedicine - Robert L. Galli, M.D., Chair, Department of Emergency Medicine, University of Mississippi Medical Center, addressed the Board. Dr. Galli had presented a proposal at the November 2001 Board meeting for the Department of Emergency Medicine to utilize nurse practitioners for rural health care. The proposed **Regulations Pertaining to Telemedicine**, which will have to be jointly promulgated with the Board of Nursing, were discussed. The Telemedicine Committee was asked to review these during the break and advise the Board of their recommendations.

Educational Development - The Board discussed the proposed amendment to **XXIII. F.7. Use of Controlled Substances for Chronic (Non-Terminal) Pain**, which would require any physician who treats more than 25% of his or her patients with opioids and other controlled substances on a regular basis for chronic pain to obtain at least eight hours of Category 1 CME hours. This amendment was adopted at the February 21, 2002, Board meeting and filed with the Secretary of State under the Administrative Procedures Act. Motion was made by Dr. Harper, seconded by Dr. Johnston, and carried unanimously to withdraw this amendment. A copy of the filing with the Secretary of State to withdraw is attached hereto and incorporated by reference.

Impaired Physicians Program - There was no new information to report.

Office Based Surgery - This committee report was deferred until later in the meeting for discussion of an amendment to **Office Based Surgery Regulations**.

Legislative - Dr. Burnett advised that Mr. Ingram was working on legislation pertaining to §73-25-33, **Practice of medicine defined**.

Nurse Practitioner and Expanded Role - There was no new information to report.

ADOPTION OF AMENDMENT TO OFFICE BASED SURGERY REGULATIONS

Betty Dickson, Executive Director, Mississippi Nurses' Association, addressed the Board concerning her recommendation that the **American Association of Nurse Anesthetists' Standards for Office Based Anesthesia** be added to **C. GENERAL REQUIREMENTS FOR OFFICE SURGERY, 9**. Dr. Johnston asked the staff to have the two standards reviewed and compared. Motion was made by Dr. Johnston, seconded by Dr. Harper, and carried unanimously to adopt the amendment, a copy of which is attached hereto and incorporated by reference.

FINAL ADOPTION OF AMENDMENTS TO *RELEASE OF MEDICAL RECORDS*

The amendments to *Release of Medical Records* were discussed, and it was the consensus of the Board members to change the word "minimum" to "maximum" preceding copying charge. Motion was made by Dr. Crawford, seconded by Dr. Bowen, and carried unanimously to final adopt the amendments with these changes. The amended regulations are attached hereto and incorporated by reference.

FINAL ADOPTION OF *REGULATIONS GOVERNING THE PRACTICE BY UNLICENSED NONRESIDENT PHYSICIANS*

Following discussion of *Regulations Governing the Practice by Unlicensed Nonresident Physicians*, it was the consensus of the Board members to delete in C.3. the phrase "along with written proof of medical malpractice liability insurance". Motion was made by Dr. Johnston, seconded by Dr. Crawford, and carried unanimously to final adopt the regulations with this change. The amended regulations are attached hereto and incorporated by reference.

FINAL ADOPTION OF *REGULATION GOVERNING CHELATION THERAPY*

Dr. Burnett, Mr. Ingram, and Ms. Wagner have met with Wilson Ellis, the owner of several chelation therapy clinics, concerning the *Regulation Governing Chelation Therapy*; however, Mr. Ellis has not submitted any proposed changes to the regulation. Motion was made by Dr. Johnston, seconded by Dr. Bowen, and carried unanimously to final adopt the regulation, a copy of which is attached hereto and incorporated by reference.

ADOPTION OF *POLICY STATEMENT ON UNREFERRED DIAGNOSTIC SCREENING TESTS*

Dr. Burnett reviewed the proposed *Policy Statement on Unreferred Diagnostic Screening Tests*, which he hopes to ultimately develop into a regulation, and reported that other states are working on this. Motion was made by Dr. Sanders, seconded by Dr. Johnston, and carried unanimously to adopt the policy statement, a copy of which is attached hereto and incorporated by reference.

BOARD MINUTES

July 18, 2002

Page 6

CME REQUIREMENTS FOR RETIRED PHYSICIANS

Dr. Burnett advised of numerous requests from retired physicians who wanted a waiver on the CME requirements. Motion was made by Dr. Johnston, seconded by Dr. Harper, and carried unanimously not to change the regulations.

LICENSURE FEES FOR RESIDENTS

Dr. Burnett presented a request from John E. Moffitt, M.D., Associate Dean for Graduate Medical Education, University of Mississippi Medical Center, asking for consideration in reducing the licensure fee for resident physicians seeking a permanent license. The Board did not feel like it could offer any reduction in fees and that the resident could continue on his temporary license. The residents will be given an opportunity to make application to sit for USMLE Step 3 and pay the fee within 12 months. The Licensure Division will develop some guidelines and/or regulations for this. Motion was made by Dr. Johnston, seconded by Dr. Crawford, and carried unanimously for Dr. Burnett to write Dr. Moffitt of their decision.

THE BOARD ADJOURNED AT 10:35 A.M. AND RECONVENED AT 11:00 A.M.

REPORT FROM TELEMEDICINE AD HOC COMMITTEE

The Telemedicine Committee presented proposed *Regulations Pertaining to Emergency Telemedicine Within the State*, which will be limited to employees of the University of Mississippi Medical Center. Motion was made by Dr. Sanders, seconded by Dr. Bowen, and carried unanimously to adopt the regulations, a copy of which is attached hereto and incorporated by reference. The regulations will be filed with the Secretary of State under the Administrative Procedures Act after they are approved by the Board of Nursing.

APPROVAL OF CONSENT ORDER EXECUTED BY THOMAS MICHAEL LEHMAN, M.D., LELAND, MISSISSIPPI MEDICAL LICENSE NUMBER 13009

Dr. Lehman was present and represented by legal counsel, Barry K. Cockrell, Esq., Jackson.

Mr. Ingram reviewed Dr. Lehman's background and history leading to the disciplinary action taken on his medical license. Mr. Cockrell explained the terms and conditions of the Consent Order, which would allow Dr. Lehman's license to be reinstated. One of the conditions of the Consent Order requires a practice plan to

BOARD MINUTES

July 18, 2002

Page 7

be submitted to and approved by the Board's Director. Motion was made by Dr. Bush, seconded by Dr. Crawford, and carried unanimously to accept the Consent Order, a copy of which is attached hereto and incorporated by reference.

A verbatim account of this proceeding was recorded by Harvey J. Rayborn, Certified Court Reporter.

PERSONAL APPEARANCE BY JOHNNY RAY BULLOCK, JR., M.D., TYLERTOWN, MISSISSIPPI MEDICAL LICENSE NUMBER 13883, FOR REINSTATEMENT OF LICENSE

Dr. Bullock was present but not represented by legal counsel. Also present was Mrs. Bullock. Ms. Wagner questioned Dr. Bullock regarding legal representation, and Dr. Bullock stated he wished to waive his right to an attorney and proceed without legal counsel.

Mr. Moses was sworn in and presented a chronological summary of Dr. Bullock's background and history leading to the disciplinary action taken on his medical license. Mr. Ingram reviewed Dr. Bullock's background and entered several exhibits, including prior Board Orders and reports from Professional Renewal Center, Lawrence, Kansas.

Dr. Bullock was sworn in, addressed the Board, and answered questions from Board members, Dr. Burnett, and Mr. Ingram. Gary D. Carr, M.D., Medical Director, Mississippi Recovering Physicians Program, addressed the Board on behalf of Dr. Bullock.

Motion was made by Dr. Crawford, seconded by Dr. Harper, and carried unanimously that the Board consider going into Executive Session to consider entry of an order which may be appealable. With a motion by Dr. Johnston, seconded by Dr. Sanders, the Board went into Executive Session.

Upon motion by Dr. Crawford, seconded by Dr. Harper, and carried unanimously, the Board came out of Executive Session at which time Dr. Smith announced to accept the Consent Order. Licensee must present to and obtain written approval from the Board's Director of a "Re-Entry Contract" prior to returning to the practice of medicine. The Consent Order is attached hereto and incorporated by reference.

Dr. Johnston expressed to Dr. Bullock the Board's concern over his actions.

A verbatim account of this proceeding was recorded by Harvey J. Rayborn, Certified Court Reporter.

**PERSONAL APPEARANCE BY DIANE M. LITTLE, M.D., HATTIESBURG,
MISSISSIPPI MEDICAL LICENSE NUMBER 12756, FOR REINSTATEMENT OF
LICENSE**

Dr. Little was present but not represented by legal counsel. Also present was Dr. Little's husband. Ms. Wagner questioned Dr. Little regarding legal representation, and Dr. Little stated she wished to waive her right to an attorney and proceed without legal counsel.

Mr. Ingram reviewed Dr. Little's background and the Consent Order, which suspended her license for one year. Dr. Little addressed the Board and answered questions from Board members, Dr. Burnett and Mr. Ingram. Dr. Carr addressed the Board on behalf of Dr. Little.

Motion was made by Dr. Johnston, seconded by Dr. Crawford, and carried unanimously that the Board consider going into Executive Session to consider entry of an order which may be appealable. With a motion by Dr. Bush, seconded by Dr. Johnston, the Board went into Executive Session.

Upon motion by Dr. Crawford, seconded by Dr. Harper, and carried unanimously, the Board came out of Executive Session at which time Dr. Smith announced to reinstate Dr. Little's license effective July 28, 2002, subject to all terms and conditions set forth in the Recovery Contract Agreement made with Mississippi Recovering Physicians Program. The Order of the Board is attached hereto and incorporated by reference.

A verbatim account of this proceeding was recorded by Harvey J. Rayborn, Certified Court Reporter.

**PERSONAL APPEARANCE BY REID GAILLARD SHEFTALL, M.D., BILOXI,
MISSISSIPPI MEDICAL LICENSE NUMBER 13870, TO REQUEST REMOVAL OF
RESTRICTIONS**

Dr. Sheftall was present but not represented by legal counsel. Ms. Wagner questioned Dr. Sheftall regarding legal representation, and Dr. Sheftall stated he wished to waive his right to an attorney and proceed without legal counsel.

Mr. Ingram reviewed Dr. Sheftall's background and history leading to the disciplinary action taken on his medical license and entered the chronological summary, prior Board Orders, and correspondence as exhibits. Dr. Sheftall asked that two letters from physicians with whom he had worked the past three years at Chuen Min Hospital and Elizabeth Polyclinic in Phnom Penh be entered as an exhibit.

Dr. Sheftall was sworn in, addressed the Board, and answered questions from Board members, Dr. Burnett, and Mr. Ingram. Dr. Sheftall stated he did not plan to practice in Mississippi but wanted his license cleared of restrictions in order to get a Florida license.

Motion was made by Dr. Johnston, seconded by Dr. Bowen, and carried unanimously that the Board consider going into Executive Session to consider entry of an order which may be appealable. With a motion by Dr. Bush, seconded by Dr. Johnston, the Board went into Executive Session.

Upon motion by Dr. Bush, seconded by Dr. Harper, and carried unanimously, the Board came out of Executive Session at which time Dr. Smith announced to remove all restrictions. Should Dr. Sheftall return to Mississippi to practice, he will need to fulfill the obligations of his June 1998 Consent Order. The Order of the Board is attached hereto and incorporated by reference.

A verbatim account of this proceeding was recorded by Harvey J. Rayborn, Certified Court Reporter.

**PERSONAL APPEARANCE BY WILLIAM D. LOGAN, JR., M.D., CARTHAGE,
MISSISSIPPI MEDICAL LICENSE NUMBER 03214, TO REQUEST REMOVAL OF
RESTRICTIONS**

Dr. Logan was present but not represented by legal counsel. Ms. Wagner questioned Dr. Logan regarding legal representation, and Dr. Logan stated he wished to waive his right to an attorney and proceed without legal counsel.

Mr. Ingram reviewed Dr. Logan's background and history leading to the disciplinary action taken on his medical license. The reading of the chronological summary was waived, and the Board members reviewed copies provided them.

Dr. Logan addressed the Board and answered questions from Board members, Dr. Burnett, and Mr. Ingram. Motion was made by Dr. Johnston,

seconded by Dr. Jackson, and carried unanimously to remove all restrictions. The Order of the Board is attached hereto and incorporated by reference.

A verbatim account of this proceeding was recorded by Harvey J. Rayborn, Certified Court Reporter.

ED THOMPSON, M.D., STATE HEALTH OFFICER, MISSISSIPPI STATE DEPARTMENT OF HEALTH, REGARDING THE BOARD ALLOWING INFLUX OF PHYSICIANS LICENSED IN OTHER STATES TO COME INTO MISSISSIPPI IN CASE OF NATIONAL EMERGENCIES

Dr. Burnett advised that he was working on this with a member of the Governor's staff.

ACCEPTANCE OF SURRENDER OF MEDICAL LICENSE EXECUTED BY JIMMY RAY CHISM, M.D., NEW ALBANY, MISSISSIPPI MEDICAL LICENSE NUMBER 09952

Dr. Chism was not present or represented by legal counsel.

The Surrender of Medical License executed by Dr. Chism was reviewed. Motion was made by Dr. Johnston, seconded by Dr. Sanders, and carried unanimously to accept the Surrender of Medical License, a copy of which is attached hereto and incorporated by reference.

A verbatim account of this proceeding was recorded by Harvey J. Rayborn, Certified Court Reporter.

OTHER BUSINESS

Dr. Burnett presented the Board's FY2004 budget for \$1,796,139. Motion was made by Dr. Crawford, seconded by Dr. Johnston, and carried unanimously to approve the budget. Dr. Sanders stated that a resolution was presented at the Mississippi State Medical Association annual meeting asking that renewal fees be reduced. Dr. Burnett advised that this would not be possible at this time because of a decrease in the number of licensees.

Copies of a list of physicians who have not renewed were distributed to the Board for their review. Motion was made by Dr. Johnston, seconded by Dr. Harper, and carried unanimously to report the list to the Attorney General's Office and other entities. A copy of the list is attached hereto and incorporated

by reference. Dr. Burnett gave a brief report on the licensure renewal figures. Dr. Johnston asked the staff to check to see if other states had an honorary license status for retired physicians.

Because of calls received by the Board staff requesting a list of Board members, the staff asked permission to make this available to the public on the Board's web site. It was the consensus of the Board members not to put this information on the web site.


Motion was made by Dr. Johnston, seconded by Dr. Crawford, and carried unanimously to approve the Attorney General's contract, ***Interagency Agreement to Provide Legal Services to the Mississippi Board of Medical Licensure***. A copy of this document is attached hereto and incorporated by reference.

The Board had asked the Attorney General for an official opinion on House Bill 1317, 2002 Regular Session, which transferred \$1,000,000 from the Board to the Budget Contingency Fund. Ms. Wagner stated that the Attorney General's office could not opine on the legality of legislation or action that has already occurred.

Dr. Burnett distributed copies of a letter from Dr. Carr, submitting the name of W. Mel Flowers, Jr., M.D., Jackson, to serve another term as Chairman of the Mississippi Impaired Physicians Committee. Motion was made by Dr. Johnston, seconded by Dr. Harper, and carried unanimously to approve this request.

ADJOURNMENT

The meeting was adjourned at 1:00 p.m. with the next meeting scheduled for Thursday, September 19, 2002.



Robert Ray Smith, M.D.
President

Minutes taken and transcribed
by Kathy Fortenberry
Administrative Assistant
July 18, 2002

**EXECUTIVE SESSION
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
JULY 18, 2002**

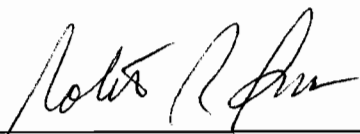
AGENDA ITEM XXIII

**PERSONAL APPEARANCE BY JOHNNY RAY BULLOCK, JR., M.D., TYLERTOWN,
MISSISSIPPI MEDICAL LICENSE NUMBER 13883, FOR REINSTATEMENT OF
LICENSE**

Motion made by Dr. Johnson, seconded by Dr. Bush, and carried to accept Consent Order as written. Licensee must present to and obtain written approval from the Board's Director of a "Re-Entry Contract".

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Frank W. Bowen, M.D.	X			
Freda M. Bush, M.D.	X			
Dewitt G. Crawford, M.D.	X			
William B. Harper, D.O.	X			
William H. Henderson, M.D.				X
Paul Douglas Jackson, M.D.	X			
Joseph E. Johnston, M.D.	X			
Henry J. Sanders, M.D.	X			
Robert Ray Smith, M.D.	X			

With a motion by Dr. Crawford, seconded by Dr. Harper, the Board came out of Executive Session.



Robert Ray Smith, M.D.
President

**EXECUTIVE SESSION
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
JULY 18, 2002**

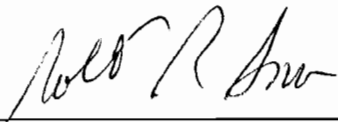
AGENDA ITEM XXIV

**PERSONAL APPEARANCE BY DIANE M. LITTLE, M.D., HATTIESBURG,
MISSISSIPPI MEDICAL LICENSE NUMBER 12756, FOR REINSTATEMENT OF
LICENSE**

Motion made by Dr. Johnson, seconded by Dr. Crawford, and carried to
reinstate license effective July 28, 2002.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Frank W. Bowen, M.D.	X			
Freda M. Bush, M.D.	X			
Dewitt G. Crawford, M.D.	X			
William B. Harper, D.O.	X			
William H. Henderson, M.D.				X
Paul Douglas Jackson, M.D.	X			
Joseph E. Johnston, M.D.	X			
Henry J. Sanders, M.D.	X			
Robert Ray Smith, M.D.	X			

With a motion by Dr. Crawford, seconded by Dr. Harper, the Board came out
of Executive Session.



Robert Ray Smith, M.D.
President

**EXECUTIVE SESSION
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
JULY 18, 2002**

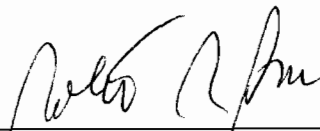
AGENDA ITEM XXVI

**PERSONAL APPEARANCE BY REID GAILLARD SHEFTALL, M.D., BILOXI,
MISSISSIPPI MEDICAL LICENSE NUMBER 13870, TO REQUEST REMOVAL OF
RESTRICTIONS**

Motion made by Dr. Bush, seconded by Dr. Smith, and carried to remove all restrictions.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Frank W. Bowen, M.D.	X			
Freda M. Bush, M.D.	X			
Dewitt G. Crawford, M.D.	X			
William B. Harper, D.O.	X			
William H. Henderson, M.D.				X
Paul Douglas Jackson, M.D.	X			
Joseph E. Johnston, M.D.	X			
Henry J. Sanders, M.D.	X			
Robert Ray Smith, M.D.	X			

With a motion by Dr. Bush, seconded by Dr. Harper, the Board came out of Executive Session.



Robert Ray Smith, M.D.
President

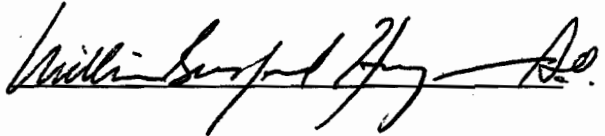
OATH OF OFFICE

I, William Bransford Harper, D.O. do solemnly swear (or affirm)
that I will faithfully support the Constitution of the United States and the Constitution of the State of Mississippi,
and obey the laws thereof; that I am not disqualified from holding the office of Member, Board of Medical Licensure ;
that I will faithfully discharge the duties of the office upon which I am about to enter. So help me God.

Subscribed and sworn to before me at

Jackson

Mississippi, this 18th day
of July, ~~19~~ 2002



By Frances C. Scott
Notary Public

MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES NOV. 1, 2003
BONDED THRU STEGALL NOTARY SERVICE

OATH OF OFFICE

I, Henry John Sanders, III, M.D. do solemnly swear (or affirm)
that I will faithfully support the Constitution of the United States and the Constitution of the State of Mississippi,
and obey the laws thereof; that I am not disqualified from holding the office of Member, Board of Medical Licensure ;
that I will faithfully discharge the duties of the office upon which I am about to enter. So help me God.

Subscribed and sworn to before me at

Jackson

Mississippi, this 18th day
of July, 15 2002



By Frances C. Scott
Notary Public
MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES NOV. 1, 2003
BONDED THRU STEGALL NOTARY SERVICE

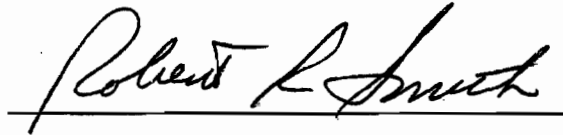
OATH OF OFFICE

I, Robert Ray Smith, M.D. do solemnly swear (or affirm)
that I will faithfully support the Constitution of the United States and the Constitution of the State of Mississippi,
Member, Board of
and obey the laws thereof; that I am not disqualified from holding the office of **Medical Licensure** ;
that I will faithfully discharge the duties of the office upon which I am about to enter. So help me God.

Subscribed and sworn to before me at

Jackson

Mississippi, this 18th day
of July, ~~19~~ 2002



By Frances C. Scott
Notary Public
MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES NOV. 1, 2003
BONDED THRU STEGALL NOTARY SERVICE

RECOGNITION OF AUTHORITY

The Mississippi State Board of Medical Licensure affirms a physician's ethical and regulatory ability to authorize a dialysis technician, subject to the physician's supervision, to cannulate patients and administer pre-established heparin and normal saline as prescribed by the physician. The dialysis technician must be certified and have an approved protocol.

COPY

ADMINISTRATIVE PROCEDURES FILING NOTICE

Agency Board of Medical Licensure Person to Contact Rhonda Freeman
Address 1867 Crane Ridge Drive Suite 200B Address _____
Jackson, MS 39216
Phone (601) 987-3079 Transmittal Date July 23, 2002

Copy Attached: Yes No _____

Name or Number of Rule(s) XXIII. Regulations Pertaining to Prescribing, Administering and Dispensing of Medication; F., 7.

Terms or Substance of the Actions or Description of the Subject and Issues:
See attached.

Printed Name and Title
of Person Authorized to File Rules: Rhonda Freeman Division Director II

Name
Rhonda Freeman
Signature
Title

EMERGENCY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
<input type="checkbox"/> Original Filing <input type="checkbox"/> Renewal of Effectiveness To Be In Effect _____ Days Effective Date: <input type="checkbox"/> Immediately on <input type="checkbox"/> Other (Specify): _____	Action Proposed: <input type="checkbox"/> New Rule(s) <input type="checkbox"/> Amendment to Existing Rule(s) <input type="checkbox"/> Repeal of Existing Rule(s) <input type="checkbox"/> Adoption by Reference Proposed Date of Adoption: <input type="checkbox"/> 30 Days after Filing <input type="checkbox"/> Other (Specify): _____	Action Taken: <input type="checkbox"/> Adopted with No Changes in Text <input type="checkbox"/> Adopted with Changes <input type="checkbox"/> Adopted by Reference <input checked="" type="checkbox"/> Withdrawn Date Action Taken <u>July 18, 2002</u> Effective Date <input type="checkbox"/> 30 Days After Filing <input type="checkbox"/> Other (Specify): _____

DO NOT WRITE BELOW THIS LINE		
OFFICIAL FILING STAMP	OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
		FILED JUL 23 2002 MISSISSIPPI SECRETARY OF STATE

Accepted for filing by _____ Accepted for filing by _____ Accepted for filing by ras

XXIII. REGULATIONS PERTAINING TO PRESCRIBING, ADMINISTERING AND DISPENSING OF MEDICATION

F. USE OF CONTROLLED SUBSTANCES FOR CHRONIC (Non-Terminal) PAIN

7. Any physician who treats more than twenty to twenty-five per cent (20 - 25 %) of their patients with opioids and other controlled substances on a regular basis for chronic pain, shall be required to obtain at least eight (8) hours of Category 1 continuing medical education (CME) hours, as defined in Article XXI, in the following areas:

1. Use of controlled substances for chronic pain;
2. Proper treatment of substance abuse in patients; and
3. Proper medical record keeping.

These CME hours may be included in the forty (40) CME hours required for renewal of a medical license. All aforementioned physicians shall be able to show proof of having obtained the required CME within one year from the effective date of this regulation. CME in the the above areas acquired during the year prior to the effective date of this regulation will be considered for acceptance on a case by case basis. Physicians receiving an initial license after the effective date of this regulation shall obtain the required eight (8) CME hours within the year following the issuance of their medical license. Each year following the initial requirement of eight (8) CME hours, every physician falling into the aforementioned categories shall obtain at least two (2) Category 1 CME hours in the required subject matter areas. These two CME hours may be included in the forty (40) CME hours required for renewal of medical license. Documentation of such continuing medical education shall be maintained by the physician and is subject to examination by representatives of the State Board of Medical Licensure upon request.

XXIV.

OFFICE BASED SURGERY REGULATIONS

C. GENERAL REQUIREMENTS FOR OFFICE SURGERY

9. It is strongly recommended that the American Society of Anesthesiologists' ***Guidelines for Office-Based Anesthesia*** and/or ***American Association of Nurse Anesthetists' Standards for Office Based Anesthesia*** be utilized for Level III procedures.

ADMINISTRATIVE PROCEDURES FILING NOTICE

Agency Board of Medical Licensure Person to Contact Rhonda Freeman
Address 1867 Crane Ridge Drive Suite 200B Address _____
Jackson, MS 39216
Phone (601) 987-3079 Transmittal Date July 23, 2002
Copy Attached: Yes No _____

Name or Number of Rule(s) XII. RELEASE OF MEDICAL RECORDS

Terms or Substance of the Actions or Description of the Subject and Issues:
See attached.

Printed Name and Title of Person Authorized to File Rules: Rhonda Freeman Division Director II
Name Title
Rhonda Freeman Signature

EMERGENCY RULES
_____ Original Filing
_____ Renewal of Effectiveness
To Be In Effect _____ Days
Effective Date:
_____ Immediately on
_____ Other (Specify):

PROPOSED ACTION ON RULES
Action Proposed:
_____ New Rule(s)
_____ Amendment to Existing Rule(s)
_____ Repeal of Existing Rule(s)
_____ Adoption by Reference
Proposed Date of Adoption:
_____ 30 Days after Filing
_____ Other (Specify):

FINAL ACTION ON RULES
Action Taken:
_____ Adopted with No Changes in Text
 Adopted with Changes
_____ Adopted by Reference
_____ Withdrawn
Date Action Taken July 18, 2002
Effective Date
 30 Days After Filing
_____ Other (Specify):

OFFICIAL FILING STAMP

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FILED
JUL 23 2002
MISSISSIPPI
SECRETARY OF STATE

Accepted for filing by _____ Accepted for filing by _____ Accepted for filing by [Signature]

XII. RELEASE OF MEDICAL RECORDS

C. TRANSFER OF PATIENT RECORDS TO ANOTHER PHYSICIAN

A physician who formerly treated a patient shall not refuse for any reason to make the information contained in his medical records of that patient available upon request by the patient or legal representative of the patient, to another physician presently treating the patient. The physician has a right to request a written release from the patient or legal representative of the patient, authorizing the transfer prior to transfer of said documents. Upon receipt of the written release and authorization, the physician must tender either a copy of said documents or a narrative summary of the same to the other physician within a reasonable period of time. Transfer of said documents shall not be withheld because of an unpaid bill for medical services, but the physician is entitled to reasonable compensation paid in advance for any copy expenses. The maximum copying charge is twenty dollars (\$20) for up to 20 pages and one dollar (\$1.00) per page for 21 or more pages.

D. RELEASE OF PATIENT RECORDS TO PATIENT

A physician shall, upon request of the patient or patient's legal representative, provide either a copy of a patient's medical record or a narrative summary of the same to the patient or to the patient's legal representative; provided, however, where release of psychiatric/psychological records directly to a patient would be deemed harmful to the patient's mental health or well-being, the physician shall not be obligated to release said records directly to the patient, but shall, upon request, release the same to the patient's legal representative. The physician has a right to request a written authorization prior to release of said documents. Upon receipt of the written release and authorization, the physician must tender either a copy of said documents or a narrative summary of the same to the patient or to the patient's legal representative within a reasonable period of time. Transfer of said documents shall not be withheld because of an unpaid bill for medical services, but the physician is entitled to reasonable compensation paid in advance for any copy expenses. The maximum copying charge is twenty dollars (\$20) for up to 20 pages and one dollar (\$1.00) per page for 21 or more pages.

COPY

ADMINISTRATIVE PROCEDURES FILING NOTICE

Agency Board of Medical Licensure Person to Contact Rhonda Freeman
Address 1867 Crane Ridge Drive Suite 200B Address _____
Jackson, MS 39216
Phone (601) 987-3079 Transmittal Date July 23, 2002

Copy Attached: Yes No

Name or Number of Rule(s) XXV. REGULATIONS GOVERNING THE PRACTICE BY UNLICENSED NONRESIDENT PHYSICIANS

Terms or Substance of the Actions or Description of the Subject and Issues:
See attached.

Printed Name and Title
of Person Authorized to File Rules: Rhonda Freeman Division Director II

Name
Rhonda Freeman
Signature

EMERGENCY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
<input type="checkbox"/> Original Filing <input type="checkbox"/> Renewal of Effectiveness To Be In Effect _____ Days Effective Date: <input type="checkbox"/> Immediately on <input type="checkbox"/> Other (Specify): _____	Action Proposed: <input type="checkbox"/> New Rule(s) <input type="checkbox"/> Amendment to Existing Rule(s) <input type="checkbox"/> Repeal of Existing Rule(s) <input type="checkbox"/> Adoption by Reference Proposed Date of Adoption: <input type="checkbox"/> 30 Days after Filing <input type="checkbox"/> Other (Specify): _____	Action Taken: <input type="checkbox"/> Adopted with No Changes in Text <input checked="" type="checkbox"/> Adopted with Changes <input type="checkbox"/> Adopted by Reference <input type="checkbox"/> Withdrawn Date Action Taken <u>July 18, 2002</u> Effective Date <input checked="" type="checkbox"/> 30 Days After Filing <input type="checkbox"/> Other (Specify): _____

OFFICIAL FILING STAMP

OFFICIAL FILING STAMP

OFFICIAL FILING STAMP
FILED
JUL 23 2002
MISSISSIPPI
SECRETARY OF STATE

Accepted for filing by _____ Accepted for filing by _____ Accepted for filing by [Signature]

XXV. REGULATIONS GOVERNING THE PRACTICE BY UNLICENSED NONRESIDENT PHYSICIANS

AUTHORITY: CHAPTERS 25 AND 27, TITLE 73, MISSISSIPPI CODE (1972) ANNOTATED

A. SCOPE

This regulation shall apply to all individuals who practice or who seek to practice medicine or osteopathic medicine in the State of Mississippi pursuant to authority granted in Miss. Code Ann. Section 73-25-19.

B. PURPOSE

Pursuant to Miss. Code Ann. Section 73-25-19, non-resident physicians, not holding a license in the State of Mississippi, shall not be authorized to practice medicine in this state under any circumstances after remaining in the State for five(5) days, except when called in consultation by a licensed physician residing in this state. To implement its responsibility to protect the public, the Mississippi State Board of Medical Licensure shall monitor those non-resident physicians entering into this State to practice medicine pursuant to Section 73-25-19.

C. NOTIFICATION TO BOARD REQUIRED

Regardless of the number of days of anticipated practice, a non-resident physician, not holding a license in the State of Mississippi, shall not be authorized to practice medicine in this State under any circumstances, unless the following conditions have been satisfied:

1. The currently licensed Mississippi physician who needs consultation or assistance must notify the Board in writing of his request to have a non-resident physician practice in this State, setting forth (i) the identity of the non-resident unlicensed physician, (ii) a statement as to the purpose for the assistance/consultation, (iii) the location and address of the anticipated practice, and (iv) anticipated duration of practice.
2. Except in cases of emergencies, the above notification must be submitted to the Board at least seven (7) working days prior to the non-resident unlicensed physician entering into the State.
3. The non-resident unlicensed physician shall submit to the Board written proof of licensure status in good standing, from another state or jurisdiction, along with written proof of medical malpractice liability insurance.

D. INTENT

It is the intent and purpose of this regulation to encourage Mississippi licensed physicians to utilize the services of competent and well trained non-resident/unlicensed physicians on an as needed basis. However, where it is anticipated that the services of the non-resident physicians will be utilized on a routine basis, that is, where the non-resident physicians services will be utilized more than twice during any one year period of time, permanent licensure shall be required.

E. EXCLUSION

This regulation shall not apply to any non-resident physician who holds a temporary license to practice medicine at a youth camp issued under the provisions of Miss. Code Ann. Section 75-74-8 and Section 73-25-17.

F. EFFECTIVE DATE OF REGULATION

The above shall become effective thirty (30) days after final adoption.

ADMINISTRATIVE PROCEDURES FILING NOTICE

Agency Board of Medical Licensure Person to Contact Rhonda Freeman
Address 1867 Crane Ridge Drive Suite 200B Address _____
Jackson, MS 39216
Phone (601) 987-3079 Transmittal Date July 23, 2002

Copy Attached: Yes No _____

Name or Number of Rule(s) XXVI. Regulation Governing Chelation Therapy

Terms or Substance of the Actions or Description of the Subject and Issues:
See attached.

Printed Name and Title
of Person Authorized to File Rules: Rhonda Freeman Division Director II

Name
Rhonda Freeman
Signature
Title

EMERGENCY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
<input type="checkbox"/> Original Filing <input type="checkbox"/> Renewal of Effectiveness To Be In Effect _____ Days Effective Date: <input type="checkbox"/> Immediately on <input type="checkbox"/> Other (Specify): _____	Action Proposed: <input type="checkbox"/> New Rule(s) <input type="checkbox"/> Amendment to Existing Rule(s) <input type="checkbox"/> Repeal of Existing Rule(s) <input type="checkbox"/> Adoption by Reference Proposed Date of Adoption: <input type="checkbox"/> 30 Days after Filing <input type="checkbox"/> Other (Specify): _____	Action Taken: <input checked="" type="checkbox"/> Adopted with No Changes in Text <input type="checkbox"/> Adopted with Changes <input type="checkbox"/> Adopted by Reference <input type="checkbox"/> Withdrawn Date Action Taken _____ Effective Date <input checked="" type="checkbox"/> 30 Days After Filing <input type="checkbox"/> Other (Specify): _____

DO NOT WRITE BELOW THIS LINE		
OFFICIAL FILING STAMP	OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
		FILED JUL 23 2002 MISSISSIPPI SECRETARY OF STATE

Accepted for filing by _____ Accepted for filing by _____ Accepted for filing by hqr

XXVI. REGULATION GOVERNING CHELATION THERAPY

The use of EDTA (ethylenediaminetetraacetic acid) in a clinical setting by delivering the medicine through parenteral or oral routes beyond its FDA approved clinical indications of laboratory documented heavy metal poisoning/intoxication/toxicity, without support of the scientific literature contained within the National Library of Medicine, or certainly much more than anecdotal evidence of its effective use in the treatment of a disease or medical condition for which a licensee uses it may be considered to be violation of Mississippi Code Annotated, Section 73-25-29 (8) (d). However, EDTA may be used in the clinical setting when a licensee experienced in clinical investigations has applied for and received from the Board written approval for a carefully controlled clinical investigation of its effectiveness in treating diseases or medical conditions other than those approved by the FDA under a protocol satisfactory to the Board to be conducted in an academic institution. That the advertising of EDTA's administration in any matter to prevent or cure diseases or medical conditions other than laboratory documented heavy metal poisoning/intoxication/toxicity, without support of the scientific literature contained within the National Library of Medicine or certainly much more than anecdotal evidence of its effective use in the treatment of a disease or medical condition for which a licensee advertises it may be considered to be violation of Mississippi Code Annotated, Section 73-25-29 (8) (d) and/or the rules promulgated pursuant thereto.

Adopted July 18, 2002.

Policy Statement - Unreferred Diagnostic Screening Tests

It is the opinion of the Mississippi State Board of Medical Licensure that any medical act that results in a written or documented medical opinion, order or recommendation that potentially affects the subsequent diagnosis or treatment of a patient constitutes the practice of medicine in this state. Further, any physician who renders such a medical opinion, order or recommendation assumes a doctor-patient relationship with that patient and is responsible for continuity of care of that patient. Failure to provide this continuity of care will be deemed to be unprofessional conduct.

**XXVII. REGULATIONS PERTAINING TO EMERGENCY
TELEMEDICINE WITHIN THE STATE**

A. SCOPE/PURPOSE

These regulations apply to only those individuals licensed to practice medicine or osteopathic medicine in the State of Mississippi and who are performing duties as employees of the University of Mississippi Medical Center. This regulation does not authorize any communication across state lines.

B. DEFINITIONS

For the purpose of Article XXVII only, the following terms have the meanings indicated:

1. "Physician" means any person licensed to practice medicine or osteopathic medicine in the State of Mississippi.
2. "Telemedicine" is the diagnosis or treatment of human injury, illness and diseases using interactive audio, video or data communications by electronic or other means.
3. "Teleemergency medicine" is a unique combination of telemedicine and the collaborative/supervisory role of a physician Board certified in emergency medicine, and an appropriate skilled health professional (Nurse Practitioner or Physician Assistant).

C. BOARD REVIEW

The same requirements as outlined in Article XIII shall apply.

D. COLLABORATIVE/SUPERVISING PHYSICIAN LIMITED

No physician practicing teleemergency medicine shall be authorized to function in a collaborative/supervisor role as outlined in Article XIII unless his or her practice location is a level 1 hospital trauma center that is able to provide continuous twenty-four hour coverage and has an existing air ambulance system in place. Coverage will be authorized only for those emergency departments of licensed hospitals who have an average daily census of thirty (30) or fewer Acute Care/Medical Surgical occupied beds as defined by their Medicare Cost Report.

E. REPORTING REQUIREMENTS

Quarterly reports detailing quality assurance activities, adverse or sentinel events shall be submitted for review to the Mississippi State Board of Medical Licensure. The Board of Nursing requires, in addition to these regulations, submission of quarterly reports to the Board of Nursing and reserves the right to re-evaluate and change reporting requirements, if need be.

F. EFFECTIVE DATE OF REGULATION

This above rules and regulations pertaining to telemergency medicine shall become effective thirty (30) days from the date of final filing. This regulation shall stand repealed one (1) year from final adoption.

**BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
IN THE MATTER OF THE PHYSICIAN'S LICENSE
OF
THOMAS M. LEHMAN, M.D.**

CONSENT ORDER

WHEREAS, Thomas M. Lehman, M.D. ("Licensee"), is the current holder of Certificate No. 13009 for the practice of medicine in the State of Mississippi (the "Certificate");

WHEREAS, on or about May 31, 2001, the Mississippi State Board of Medical Licensure ("Board") received a memorandum, dated May 30, 2001, from James McIlwaine, M.D., president of Information and Quality Healthcare ("IQH"), the designated peer review organization in the State of Mississippi for the U. S. Department of Health and Human Services ("HHS"), indicating that IQH was recommending to the Office of Inspector General ("OIG") a sanction against Licensee. Enclosed with said memorandum was a copy of a May 29, 2001, letter to Licensee, entitled "FINAL SANCTION NOTICE," advising Licensee that he had failed to comply with the obligations imposed by Section 1156 of the Social Security Act, 42 U.S.C. § 1320c-5;

WHEREAS, on or about October 1, 2001, notification was received by the Board from the OIG that Licensee "is being excluded from participation in the Medicare program and any state health care program as defined in Section 1128(h) of the Social Security Act." Further, the notification indicated that the exclusion would be effective October 17, 2001;

WHEREAS, on or about October 16, 2001, the Board served Licensee with a summons and affidavit notifying him to answer charges that, pursuant to Miss. Code

Ann. § 73-25-29 and § 73-25-83, the proposed sanction would constitute grounds for the Board taking appropriate action against the Licensee, including the probation, suspension or revocation of the Licensee's Certificate;

WHEREAS, on or about November 15, 2001, the Board, in response to the petition of the Licensee, placed the hearing set for that date in abeyance pending his appeal of sanctions imposed by the OIG. The Order of Abeyance set forth that the Licensee acknowledged the Board's authority to proceed with the aforementioned charges, notwithstanding the pendency of the appeal. In addition, the Order provided that the Licensee voluntarily agreed not to practice medicine in the State of Mississippi until all charges were ultimately heard by the Board after the conclusion or withdrawal of the appeal;

WHEREAS, on November 20, 2001, Licensee submitted a written request to the Departmental Appeals Board of HHS to conduct a hearing before an administrative law judge for the review of the exclusion imposed by the OIG;

WHEREAS, on April 26, 2002, the Licensee and the OIG entered into a settlement agreement by which the Licensee agreed to dismiss his appeal of the exclusion pending before the Departmental Appeals Board with prejudice and to be excluded pursuant to 42 U.S.C. § 1320c-5 from participation in the Medicare program and the state health care programs, as defined in 42 U.S.C. § 1320a-7(h), for a period of eight (8) years;

WHEREAS, on or about April 25, 2002, the Departmental Appeals Board entered an order dismissing Licensee's request for a review by an administrative law judge of the

exclusion imposed by the OIG. As a result of this order, all appeals of the sanctions imposed by the OIG have been brought to a conclusion;

WHEREAS, on July 18, 2002, the Board received a Motion for Entry of Consent Order. In the Motion, the Licensee petitioned the Board for the entry of a consent order suspending Licensee's Certificate for eight (8) years, effective beginning October 17, 2001, and expiring October 16, 2009; indefinitely staying the suspension six (6) months subsequent to the effective date of the suspension; and placing certain restrictions on Licensee's Certificate;

NOW, THEREFORE, the Mississippi State Board of Medical Licensure, with consent of Thomas M. Lehman, M.D., as indicated by his joinder herein, does hereby suspend Licensee's Certificate for eight (8) years effective October 17, 2001, with the suspension automatically stayed after six (6) months, such suspension ending April 17, 2002, subject to the following probationary terms and conditions:

1. Licensee's practice shall be limited to primary care, and Licensee shall not perform any cardiology procedures, including, but not limited to, percutaneous transluminal coronary angioplasty (PTCA); percutaneous transluminal angioplasty (PTA); laser ablation; atherectomy; valvuloplasty; or any procedure involving the placement of a stent.
2. Licensee shall participate in at least thirty (30) hours of continuing medical education per year for the two (2) calendar years subsequent to the entry of this consent order. Recognizing that the Licensee will no longer perform interventional cardiology procedures, all CME will be on subject

matters associated with the practice areas of non-interventional cardiology or internal medicine.

3. Licensee shall seek affiliation with the Mississippi Recovering Physician Program ("MRPP") and will comply with any and all after care conditions that may be imposed by the MRPP. Licensee shall notify the Board in writing to the attention of its Director of his affiliation with the MRPP. In the event Licensee fails to comply with any or all after care conditions imposed on him by the MRPP, the stay of suspension shall be immediately removed and Licensee shall be prohibited from practicing medicine until such time as the Board has made a determination that Licensee has regained advocacy with both programs and is again ready to return to the practice of medicine. Suspension of Licensee's Certificate under these conditions shall be indefinite, notwithstanding any length of time or term enumerated in this consent order. Licensee hereby authorizes the MRPP to release to the Board all records of his treatment and/or after care monitoring.
4. Licensee shall limit his medical practice to a structured environment pursuant to a practice plan to be submitted to, and approved by, the Board's Director. In the event that Licensee desires to modify his practice plan, he shall submit the modified practice plan to the Director for prior approval.
5. Licensee's practice of medicine shall be subject to periodic surveillance by

the Board. The Board's Director, any member of the Board or medical consultant appointed by the Board or investigative staff, may perform a patient chart review of a representative sample of those patients treated by Licensee.

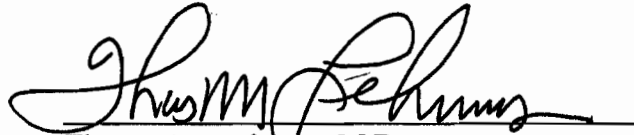
This Consent Agreement shall be subject to approval by the Board. If the Board fails to approve the Consent Agreement, in whole or in part, it shall have no force or effect on the parties. It is further understood and agreed that the purpose of this Consent Agreement is to avoid a hearing before the Board. In this regard, Licensee authorizes the Board to review and examine any documentary evidence or materials concerning the Licensee prior to or in conjunction with its consideration of the Consent Agreement. Should the Consent Agreement not be accepted by the Board, it is agreed that presentation to and consideration of the Consent Agreement and other documents and matters pertaining thereto by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation or consideration of the resolution of the proceedings.

Licensee understands and expressly acknowledges that this Consent Agreement, if approved and executed by the Mississippi State Board of Medical Licensure, shall constitute a public record of the State of Mississippi.

Recognizing his right to notice of charges specified against him, to have such charges adjudicated pursuant to Miss. Code Ann. § 73-25-27, to be represented therein by legal counsel of this choice, and to a final decision based upon written findings of fact and conclusions of law, Thomas M. Lehman, M.D., nonetheless, hereby waives his right

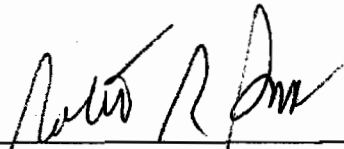
to notice and a formal adjudication of charges and authorizes the Board to enter an order accepting this Consent Agreement, thereby suspending his license to practice medicine in the State of Mississippi, for a period of eight (8) years, staying the suspension and placing his license on probation subject to those terms and conditions enumerated above.

This the 18th day of July, 2002.


Thomas M. Lehman, M.D.

Witness

ACCEPTED AND APPROVED, this the 18th day of July, 2002, by the
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE.



ROBERT RAY SMITH, M.D.
PRESIDENT

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE

OF

JOHNNY R. BULLOCK, JR., M.D.

ORDER

THIS MATTER came on regularly for hearing on July 18, 2002, before the Mississippi State Board of Medical Licensure in response to the Petition of Johnny R. Bullock, Jr., M.D. (hereinafter referred to as "Licensee"), for authorization to return to the practice of medicine. Unlike the past, Licensee was not prepared to present a revised "Re-Entry Contract," to be attached to that certain Consent Order with this Board dated July 17, 2002.

The hearing was convened at 10:00 a.m., Licensee being present without counsel. Complaint Counsel for the Board was Honorable Stan T. Ingram. Sitting as legal advisor for the Board was Honorable Heather Wagner, Special Assistant Attorney General. The Board, after consideration of the request of Licensee, and statements made by interested parties present, finds the same to be well-taken, provided however, Licensee shall not re-enter the practice of medicine until such time as he presents to and obtains written approval from the Board's Director of a "Re-Entry Contract," to be attached to that certain Consent Order with this Board dated July 17, 2002.

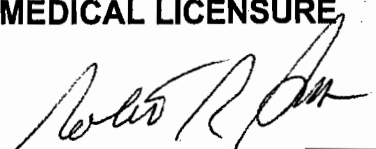
IT IS, THEREFORE, ORDERED that Licensee is authorized to return to the practice of medicine as of September 13, 2002, and, thereafter, presents to and obtains prior written approval from the Board's Director of a "Re-Entry Contract," to be attached to that certain Consent Order with this Board dated July 17, 2002.

IT IS FURTHER ORDERED, that pursuant to Miss. Code Ann. Sections 73-25-27 and 73-25-32 (1972), a copy of this Order shall be sent by registered mail or personally served upon Johnny R. Bullock, Jr., M.D.

ORDERED, this the 18th day of July, 2002.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY:



**ROBERT RAY SMITH, M.D.
PRESIDENT**

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE OF

JOHNNY R. BULLOCK, JR., M.D.

CONSENT ORDER

WHEREAS, the Investigative Staff of the Mississippi State Board of Medical Licensure has conducted a comprehensive investigation into the medical practice of Johnny R. Bullock, Jr., M.D., Columbia, Mississippi, and having previously documented evidence indicating that Dr. Bullock (hereinafter referred to as "Licensee") was not safe to practice medicine by his violating the terms of an existing Consent Order with the Board, did serve an Order of Prohibition against Licensee on September 13, 2001, prohibiting Licensee from practicing medicine until such time as he was able to return to the practice of medicine with reasonable skill and safety to patients;

WHEREAS, Licensee entered Professional Renewal Center (PRC), Lawrence, Kansas for assessment and treatment under the care of Richard Irons, M.D., and following Dr. Irons untimely death, continued and successfully completed treatment under the care and direction of Elizabeth Wallace, M.D., and was discharged on March 8, 2002, subject to certain aftercare treatment recommendations;

WHEREAS, pursuant to Subsection (8)(d) of Section 73-25-29 and Section 73-25-83(a), Miss. Code Ann. (1972), the aforementioned acts constitute unprofessional and unethical conduct, for which the Mississippi State Board of Medical Licensure may revoke the Mississippi medical license of Licensee, suspend his right to practice for a time deemed proper by the Board, place his license on probation, the terms of which may be set by the Board, or take any other action in relation to his license as the Board may deem proper under the circumstances;

WHEREAS, Licensee is the holder of expired License No. 13883 for the practice of medicine in the State of Mississippi;

WHEREAS, it is the desire of Licensee to avoid a hearing before the Mississippi State Board of Medical Licensure and in lieu thereof requests that certain restrictions be placed on his license to practice medicine in the State of Mississippi;

NOW, THEREFORE, the Mississippi State Board of Medical Licensure, with consent of Licensee as signified by his joinder herein, does hereby suspend Licensee's certificate to practice medicine in the State of Mississippi for an indefinite period of time with the suspension automatically stayed after expiration of one (1) year from September 13, 2001, subject to the following probationary terms and conditions, to-wit:

1. Licensee shall comply with all aftercare conditions imposed by PRC, the Mississippi Recovering Physicians Program (MRPP) and agreed to by the Mississippi State Board of Medical Licensure. In the event Licensee fails to comply with all aftercare conditions imposed on him by either the primary treatment center, MRPP or the Mississippi State Board of Medical Licensure, the stay of suspension shall be immediately removed and Licensee shall be prohibited from practicing medicine until such time as a determination is made by the Board that Licensee is again ready to return to the practice of medicine. Summary suspension pursuant to this paragraph shall be for an indefinite period of time, notwithstanding any term or right to petition for reinstatement provided herein.
2. Licensee hereby authorizes PRC, its director, staff or employees to release to the Board all records of his evaluation, treatment and/or recommendations for aftercare monitoring. Further, Licensee authorizes the Mississippi State Board of Medical Licensure to release to the treatment facility all documentation, whether licensure or investigative, for the use and benefit of the facility in any further management and treatment of Licensee.
3. After expiration of one (1) year from September 13, 2001, Licensee will be eligible to appear before the Board to present a plan of supervised practice. Licensee shall not

practice under any circumstances until such time as Licensee has appeared before the Board and gained approval of a plan of practice. The Board reserves the right to incorporate into the plan of practice any other restriction deemed necessary to protect the public and to maintain Licensee's recovery.

4. Licensee's practice of medicine shall be subject to periodic surveillance by the Mississippi State Board of Medical Licensure to monitor compliance with any Board approved plan of practice. The Board's Executive Director, medical consultant, any member of the Board, or investigative staff may perform a patient chart review of a representative sample of those patients treated by Licensee.

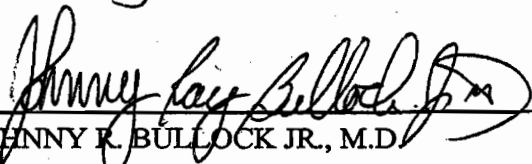
Licensee shall have the right to petition the Mississippi State Board of Medical Licensure for release of any or all of the above enumerated conditions after expiration of five (5) years from the effective day hereof. Thereafter, any right to petition the Board for reconsideration shall be at reasonable intervals, but not less than twelve (12) months from date of last appearance.

This Consent Order shall be subject to approval by the Board. If the Board fails to approve the Consent Order, in whole or in part, it shall have no force or effect on the parties. It is further understood and agreed that the purpose of this Consent Order is to avoid a hearing before the Board. In this regard, Licensee authorizes the Board to review and examine any documentary evidence or materials concerning Licensee prior to or in conjunction with its consideration of the Consent Order. Should the Consent Order not be accepted by the Board, it is agreed that presentation to and consideration of the Consent Order and other documents and matters pertaining thereto by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation or consideration of the resolution of the proceedings.

Licensee understands and expressly acknowledges that this Consent Order, if approved and executed by the Mississippi State Board of Medical Licensure, shall constitute a public record of the State of Mississippi.

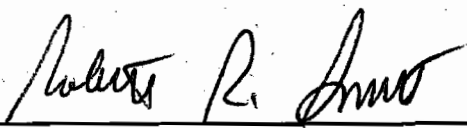
Recognizing his right to notice of charges specified against him, to have such charges adjudicated pursuant to Miss. Code Ann. (1972) Section 73-25-27, to be represented therein by legal counsel of his choice, and to a final decision rendered upon written findings of fact and conclusions of law, Johnny R. Bullock, Jr., M.D. nonetheless hereby waives his right to notice and a formal adjudication of charges and authorizes the Board to enter an order accepting this Consent Order, thereby suspending his license to practice medicine in the State of Mississippi for an indefinite period of time, staying the suspension after one (1) year, subject to those terms and conditions enumerated above.

EXECUTED, this the July 17th day of July, 2002.



JOHNNY R. BULLOCK JR., M.D.

ACCEPTED AND APPROVED, this the 18th day of July, 2002, by the
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE.



ROBERT RAY SMITH, M.D.
PRESIDENT

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
IN THE MATTER OF THE PHYSICIAN'S LICENSE
OF
DIANE M. LITTLE, M.D.

ORDER

THIS MATTER came on regularly for hearing on July 18, 2002, before the Mississippi State Board of Medical Licensure in response to the Petition of Diane M. Little, M.D. (hereinafter referred to as "Licensee"), for authorization to return to the practice of medicine, pursuant the terms and conditions set forth in that certain Consent Order with this Board dated February 1, 2002.

The hearing was convened at 11:00 a.m., Licensee being present without counsel. Complaint Counsel for the Board was Honorable Stan T. Ingram. Sitting as legal advisor for the Board was Honorable Heather Wagner, Special Assistant Attorney General. The Board, after consideration of the request of Licensee, and statements made by interested parties present, finds the same to be well-taken.

IT IS, THEREFORE, ORDERED that Licensee is authorized to return to the practice of medicine, effective July 28, 2002, subject to all terms and conditions set forth in the "Recovery Contract Agreement" which Licensee has entered into with the Mississippi Recovering Physicians Program (MRPP).

IT IS FURTHER ORDERED, that pursuant to Miss. Code Ann. Sections 73-25-27 and 73-25-32 (1972), a copy of this Order shall be sent by registered mail or personally served upon Diane M. Little, M.D.

ORDERED, this the 18th day of July, 2002.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY:



**ROBERT RAY SMITH, M.D.
PRESIDENT**

**BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
IN THE MATTER OF THE PHYSICIAN'S LICENSE
OF
REID G. SHEFTALL, M.D.**

ORDER REMOVING ALL RESTRICTIONS

THIS MATTER came on regularly for consideration on July 18, 2002, before the Mississippi State Board of Medical Licensure, in response to the request of Reid G. Sheftall, M.D. (hereinafter "Licensee"), seeking removal of all restrictions on his license to practice medicine imposed by virtue of that certain Consent Order dated November 19, 1998. The Board, after hearing said request, finds the same to be well-taken.

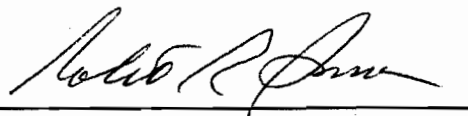
IT IS HEREBY ORDERED, that Licensee's request for removal of all restrictions is hereby granted. Licensee now holds an unrestricted license to practice medicine in the State of Mississippi.

IT IS FURTHER ORDERED, that pursuant to Miss. Code Ann. Sections 73-25-27 and 73-25-32 (1972), a copy of this Order shall be sent by registered mail or personally served upon Reid G. Sheftall, M.D.

ORDERED, this the 18th day of July, 2002.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY:



**ROBERT RAY SMITH, M.D.
PRESIDENT**

**BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
IN THE MATTER OF THE PHYSICIAN'S LICENSE
OF
WILLIAM D. LOGAN, JR., M.D.**

ORDER REMOVING ALL RESTRICTIONS

THIS MATTER came on regularly for consideration on July 18, 2002, before the Mississippi State Board of Medical Licensure, in response to the request of William D. Logan, Jr., M.D. (hereinafter "Licensee"), seeking removal of all restrictions on his license to practice medicine imposed by virtue of that certain Consent Order dated July 31, 1996. The Board, after hearing said request, finds the same to be well-taken.

IT IS HEREBY ORDERED, that Licensee's request for removal of all restrictions is hereby granted. Licensee now holds an unrestricted license to practice medicine in the State of Mississippi.

IT IS FURTHER ORDERED, that pursuant to Miss. Code Ann. Sections 73-25-27 and 73-25-32 (1972), a copy of this Order shall be sent by registered mail or personally served upon William D. Logan, Jr., M.D.

ORDERED, this the 18th day of July, 2002.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY:



**ROBERT RAY SMITH, M.D.
PRESIDENT**

SURRENDER OF MEDICAL LICENSE

To: W. Joseph Burnett, M.D.
Executive Director
Mississippi State Board of Medical Licensure

WHEREAS, I, Jimmy Ray Chism, M.D., am the current holder of License Number 09952, issued on October 1, 1983, to practice medicine in the State of Mississippi;

WHEREAS, I am currently disabled and cannot practice medicine with reasonable skill and safety. It is my wish to surrender my current license (No.09952) to practice medicine in the State of Mississippi;

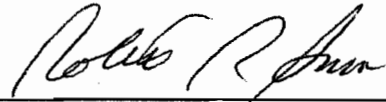
THEREFORE, I hereby voluntarily surrender medical license (No.09952) to practice medicine in the State of Mississippi, said surrender effective the 25 day of July, 2002.

I understand that this is an unconditional surrender, and is reportable as disciplinary action to the National Practitioner Data Bank, the Federation of State Medical Boards, the Drug Enforcement Administration, and other entities. In the event I later decide to practice medicine in the State of Mississippi, I understand it will be necessary for me to make application with the Board. At such time, the Board reserves the right to utilize all evidence, including all facts developed during the current investigation or any information which it may later obtain as part of the consideration of any application.

EXECUTED this the 25 day of July, 2002.


Jimmy Ray Chism, M.D.

The attached "Surrender of Medical License" in the matter of Jimmy Ray Chism, M.D., is hereby accepted by the Mississippi State Board of Medical Licensure, this the 18th day of July, 2002.



ROBERT RAY SMITH, M.D.
PRESIDENT

DRAFT printed on 07/17/2002 at 14:56:01

Mississippi State Board Of Medical Licensure 1867 Crane Ridge Dr., Ste 200-B, Jackson, MS 39216

W. Joseph Burnett, M.D.

AGENCY	ADDRESS			CHIEF EXECUTIVE OFFICER	
	(1) Actual Expenses FY Ending June 30, 2002	(2) Estimate Expenses FY Ending June 30, 2003	(3) Requested for FY Ending June 30, 2004	(4) Requested Increase (+) or Decrease (-) FY 2004 vs. FY 2003 (Col. 3 vs. Col. 2)	
				AMOUNT	PERCENT
I. A. PERSONAL SERVICES					
1. Salaries, Wages & Fringe Benefits (Base)	766,809	823,595	823,595		
a. Additional Compensation			137,544		
b. Proposed Vacancy Rate (Dollar Amount)					
c. Per Diem	3,000	6,960	6,960		
Total Salaries, Wages & Fringe Benefits	769,809	830,555	968,099	137,544	16.56%
2. Travel					
a. Travel & Subsistence (In-State)	6,631	10,000	10,000		
b. Travel & Subsistence (Out-of-State)	10,066	18,000	18,000		
c. Travel & Subsistence (Out-of-Country)					
Total Travel	16,697	28,000	28,000		
B. CONTRACTUAL SERVICES (Schedule B):					
a. Tuition, Rewards & Awards	5,311	10,700	10,700		
b. Communications, Transportation & Utilities	25,241	40,600	38,610	(1,990)	(4.90%)
c. Public Information	280	200	300	100	50.00%
d. Rents	150,696	174,472	164,181	(10,291)	(5.90%)
e. Repairs & Service	3,913	7,300	7,200	(100)	(1.37%)
f. Fees, Professional & Other Services	278,291	190,208	188,159	(2,049)	(1.08%)
g. Other Contractual Services	15,309	20,200	23,000	2,800	13.86%
h. Data Processing	50,184	121,000	96,500	(24,500)	(20.25%)
i. Other	1,044	300	300		
Total Contractual Services	530,269	564,980	528,950	(36,030)	(6.38%)
C. COMMODITIES (Schedule C):					
a. Maintenance & Construction Materials & Supplies					
b. Printing & Office Supplies & Materials	20,676	31,800	31,800		
c. Equipment, Repair Parts, Supplies & Accessories	5,363	9,675	8,840	(835)	(8.63%)
d. Professional & Scientific Supplies & Materials					
e. Other Supplies & Materials	1,976	6,175	4,850	(1,325)	(21.46%)
Total Commodities	28,015	47,650	45,490	(2,160)	(4.53%)
D. CAPITAL OUTLAY:					
1. Total Other Than Equipment (Schedule D-1)					
2. Equipment (Schedule D-2):					
a. Automobiles, SUV, Vans, Trucks & Other Vehicles		20,000	20,000		
b. Road Machinery, Farm & Other Working Equipment					
c. Office Machines, Furniture, Fixtures & Equipment	665	2,500	2,500		
d. IS Equipment (Data Processing & Telecommunications)		3,000	3,000		
e. Equipment - Lease Purchase					
f. Other Equipment					
Total Equipment	665	25,500	25,500		
E. SUBSIDIES, LOANS & GRANTS (Schedule E):					
1. Total Subsidies, Loans & Grants		200,100	200,100		
TOTAL EXPENDITURES	1,345,455	1,696,785	1,796,139	99,354	5.86%
II. BUDGET TO BE FUNDED AS FOLLOWS:					
Cash Balance-Encumbered	1,507,676	1,749,748	1,622,323	(127,425)	(7.28%)
General Fund Appropriation (Enter General Fund Lapse Below)					
Federal Funds					
Other Funds (Specify)	1,587,527	1,569,360	1,508,150	(61,210)	(3.90%)
Special Funds					
Less: Estimated Cash Available Next Fiscal Period	(1,749,748)	(1,622,323)	(1,334,334)	(287,989)	(17.75%)
TOTAL (same as total of A through E above)	1,345,455	1,696,785	1,796,139	99,354	5.86%
GENERAL FUND LAPSE					
III PERSONNEL DATA					
Number of Positions Authorized in Appropriation Bill					
a.) Full Perm	20	20		(20)	(100.00%)
b.) Full T-L					
c.) Part Perm					
d.) Part T-L					
Average Annual Vacancy Rate (Percentage)					
a.) Full Perm	4.17				
b.) Full T-L					
c.) Part Perm					
d.) Part T-L					

Approved by: _____
Official of Board or Commission

Submitted by: W. Joseph Burnett
Name

Budget Officer: _____

Title: Executive Director

Phone Number: 987-3079

Date: August 1, 2002

**MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
MISSISSIPPI PHYSICIANS - LICENSE EXPIRATION 06/30/2002
CURRENT MISSISSIPPI PHYSICIANS
PRINTED: 7/16/2002**

License	Issued	Disciplinary	Name	Address	City	State	Zip
14118	09/19/1994	NO	ABDALLAH, HASAN ISMAIL, MD	2701 NAPOLEON AVE	NEW ORLEANS	LA	70115
14728	03/04/1996	NO	ABRAHAM, ERIC LAZ, MD	LOUISIANA ANESTHESIOLOGY GROUP 9050 AIRLINE HWY	BATON ROUGE	LA	70815
17393	10/01/2001	NO	ACCOUSTI, WILLIAM KENNETH, MD	CHILDREN'S HOSPITAL DEPT OF ORTHOPAEDICS 200 HENRY CLAY AVE	NEW ORLEANS	LA	70118
14126	09/19/1994	NO	ACIERNO, MARIE DINOME, MD	UMC DEPT OF OPHTHALMOLOGY 2500 N STATE ST	JACKSON	MS	39216
07812	01/05/1977	NO	AFTANDILIAN, EMIL EMANUEL, MD	686 MERRYHILL RANCH RD	SENATOBIA	MS	39688
15881	12/01/1997	NO	AHMAD, ANWAR, MD	103 WEST 20TH STREET	MOUNT PLEASANT	TX	75455
15368	06/30/1997	NO	AHMED, ADNAN, MD	DEPARTMENT OF NEPHROLOGY UMC 2500 N STATE ST	JACKSON	MS	39216
07957	08/08/1977	NO	AKINS, STEVEN LEE, MD	6006 PARK AVE STE 500	MEMPHIS	TN	38119
16800	06/12/2000	NO	AKODE, OLADIMEJI SAMSON, MD	NORTH GENERAL HOSPITAL 1879 MADISON AVENUE	NEW YORK	NY	10035
16700	03/13/2000	NO	AL-TAWIL, YOUHANNA SAID, MD	EAST TN CHILDREN'S HOSPITAL DIR OF PEDIATRIC/GI 2100 CLINCH AVE STE 410	KNOXVILLE	TN	37916
14880	07/01/1996	NO	ALAPATI, SATYAPRASAD V, MD	GASTROENTEROLOGY ASSOCIATES LLC 8150 JEFFERSON HWY	BATON ROUGE	LA	70809
06792	12/07/1973	NO	ALDRIDGE, JOHN, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
12192	06/26/1989	NO	ALEMAR, GILBERTO ORLANDO, MD	UMC DIV OF OTOLARYNGOLOGY 2500 N STATE ST	JACKSON	MS	39216
10175	01/31/1984	NO	ALEXANDER, LEROY, MD	5600 GIRBY RD	MOBILE	AL	36609
17059	02/12/2001	NO	ALEXANDER, STEVEN MARSDEN, MD	METHODIST HOSPITAL 1265 UNION AVE	MEMPHIS	TN	38104
16274	04/05/1999	NO	ALFEREZ, TLALOC SELWAY, MD	3600 PRYTANIA ST STE 85	NEW ORLEANS	LA	70115
02868	12/12/1949	NO	ALFORD, JOHN MARVIN, JR, MD	3503 TYLER DR	OCEAN SPRINGS	MS	39046
15932	07/20/1998	NO	ALI, SAFDAR, MD	MADISON COUNTY MEDICAL CENTER HWY 16 E P O BOX 1607	CANTON	MS	38901
17098	02/26/2001	NO	ALMSADDI, MALAZ, MD	GRENADA LAKE MED CTR 960 AVENT DRIVE	GRENADA	MS	38901
04638	06/20/1982	NO	ANDERSON, CHARLES WILLIAM, MD	603 WADE	BEAUMONT	TX	77706
04607	02/04/1961	NO	ANDERSON, JAMES, MD	4433 MEDGAR EVERS BLVD	JACKSON	MS	39213
17543	03/04/2002	NO	ANDERSON, KEITH G., MD	600 S PARK AVE, STE 500-B	MEMPHIS	TN	38119
16902	08/14/2000	NO	ANSARIN, KHALIL, MD	UMC SLEEP DISORDER CENTER 2500 NORTH STATE ST RM 821	JACKSON	MS	39216
17530	02/25/2002	NO	ARCOT, KISHORE KUMAR, MD	CARDIOVASCULAR SPECIALIST BLD SUITE 505 605 PARK AVENUE	MEMPHIS	TN	38119
14800	05/13/1996	NO	ARORA, RAJESH, MD	PHENIX REGIONAL HOSPITAL 1707 21ST AVE	PHENIX CITY	AL	36867
05341	06/15/1966	NO	ARRINGTON, GEORGE LAMAR, JR, MD	4715 5TH AVE	MERIDIAN	MS	39301
15168	12/30/1996	NO	ATKINSON, MARIA LOURDES FARRALES, MD	SUMRALL FAMILY HEALTH CENTER PO DRAWER 367	SUMRALL	MS	39482
15166	12/30/1996	NO	ATKINSON, RALPH AUGUSTUS, MD	SOUTH 6TH ST	COLLINS	MS	39428
03569	06/27/1955	NO	AUSTIN, WILLIAM DARRELL, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
80071	07/01/1984	NO	BAERVELDT, JOHN SAMUEL, DPM	MOBILE FOOT CARE CENTER 2910 SQUIRE LANE	MOBILE	AL	36695
04585	06/21/1961	NO	BAGBY, GARLUCK HUGH, JR, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
15310	05/19/1997	NO	BAGLINO, MICHAEL JOSEPH, DO	NO PRIMARY PRACTICE ADDRESS ON FILE.			
16980	07/31/2000	NO	BAJAJ, KUMAR GHANSHAMDAS, MD	VA MEDICAL CENTER	MINNEAPOLIS	MN	55417
05379	06/21/1988	NO	BAKER, IRVIN CLAYTON, MD	2150 WHITNEY AVE	MEMPHIS	TN	38127
16157	12/07/1998	NO	BAKER, VICKIE EHRlich, MD	COLUMBUS AFB 14TH MEDICAL GROUP	COLUMBUS AFB	MS	39710
11882	08/30/1988	NO	BALE, MARIA CASTILLO, MD	NATIONAL CYTOLOGY LAB 2400 POPLAR AVE STE 210	MEMPHIS	TN	38112
08162	02/02/1978	NO	BAPAT, KUMUDINI SHRIKRISHNA, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
17522	02/04/2002	NO	BARHAM, BROOKS O, MD	DEPT OF RADIOLOGY UMC 2500 N STATE ST	JACKSON	MS	39216
14221	01/08/1995	NO	BARNES, CHARLES LOWRY, MD	600 S MCKINLEY STE 102	LITTLE ROCK	AR	72205
02074	06/28/1942	NO	BARNES, GEORGE SPENCER, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
14775	04/15/1996	NO	BARNES, JAMES ROBERT, MD	4301 W MARKHAM SLOT 520-1	LITTLE ROCK	AR	72205
12086	07/01/1989	NO	BARTON, JOHN VERNON, MD	215 MARION ST EM SERVICES	MCCOMB	MS	39648
13154	07/01/1992	NO	BASS, CLAYTON ALLEN, MD	PHOEBE PUTNEY MEMORIAL HOSP EMERGENCY CTR P O BOX 1828	ALBANY	GA	31702
16634	11/29/1999	NO	BATSON, HAROLD HENRY, MD	UMC DEPT OF MEDICINE 2500 N STATE ST	JACKSON	MS	39216
02902	06/22/1950	NO	BAUMHAUER, EMILE MAJERSKI, JR, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
12641	08/06/1990	NO	BEALS, DAVID HASKELL, JR	630 ONEEGA AVE STE A	ERWIN	TN	37650-2129
04482	06/21/1961	NO	BEATUS, BENJAMIN LOUIS, JR, MD	1715 AARON BRENNER DR STE 326	MEMPHIS	TN	38120
15924	07/13/1998	NO	BEAVER, JASON DENNIS, MD	UNIVERSITY OF S AL MEDICAL CENTER 2451 FILLINGIM ST	MOBILE	AL	36617-2293

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16652	01/24/2000	NO	BEGGS, DANIEL SCOTT, MD	3300 15TH ST	GULFPORT	MS	39501
12817	07/01/1991	NO	BELL, AVA HAZEL, MD	WHITE WILSON MEDICAL CENTER 1106 HOSPITAL RD	FORT WALTON BEACH	FL	32547
16559	09/20/1999	NO	BENSON, JAMES FREDRICK, JR, MD	GREENWOOD ENT ASSOC 204 8TH AVE	GREENWOOD	MS	38930
03164	06/25/1952	NO	BERRY, PERRIN LEWIS, JR, MD	1036 AVONDALE ST	JACKSON	MS	39216
04010	06/25/1955	NO	BERRY, SIDNEY RAY, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
13972	06/27/1994	NO	BIBI, ZOUHAIR, MD	7171 BUFFALO SPEEDWAY #227	HOUSTON	TX	77025
12090	07/01/1989	NO	BIGGERS, DAVID WARING, MD	GASTON MEMORIAL ER DEPT 2525 COURT DR	GASTONIA	NC	28054
17366	09/10/2001	NO	BINGAMAN, KIMBERLY DAWN, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
12591	07/02/1990	NO	BLAKE, JAMES STEVEN, DO	490 PLYMOUTH RD			
15533	06/19/1997	NO	BLEI, REBECCA LYNNE, MD	NESHOBA COUNTY HOSPITAL HIGHWAY 19 SOUTH	GLENSIDE	PA	19038
10932	01/06/1986	NO	BLOCK, WILLIAM ALEXANDER, MD	4444 GIDDINGS RD	PHILADELPHIA	MS	39350
10134	09/08/1983	NO	BOALS, JOSEPH CALLOWAY, III, MD	8005 PARK AVE STE 820-B	AUBURN HILLS	MI	48326
03167	06/25/1952	NO	BOBO, WILLIAM BENSON, MD	1251 LEE DR	MEMPHIS	TN	38119
06098	12/03/1970	NO	BOELEN, PETER ALBERTUS, MD	213 REDBUD DR	CLARKSDALE	MS	38614
02467	06/19/1946	NO	BOGGAN, WILLARD HENRY, JR, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.	VICKSBURG	MS	39180
05910	12/04/1969	NO	BOURLAND, ROBERT LEON, JR, MD	1920 KIRBY PKWY	MEMPHIS	TN	38138
02789	12/06/1948	NO	BOURLAND, WALTER L, MD	2036 PARC MONCEAU W	TUPELO	MS	38804
13888	06/15/1994	NO	BOYD, DANIEL STREET, MD	MEMPHIS PSYCHIATRIC GROUP 1715 AARON BRENNER DR STE 326	MEMPHIS	TN	38120
16389	06/28/1999	NO	BRADLEY, KEVIN GRANT, MD	DEPT OF EMERGENCY MEDICINE UMC 2500 N STATE ST	JACKSON	MS	39216
13159	07/01/1992	NO	BRADSHAW, DONNA MARIE, MD	KATELYN CIR	EAGLERIVER	AK	99577
06700	08/09/1973	NO	BRANTLEY, KATHRYN CORLEY, MD	9 ALUTJUN HILL COVE	JACKSON	MS	39211
15561	11/10/1997	NO	BRECKWOLDT, REID DOUGLAS, MD	IREDELL RADIOLOGY ASSOC. PA PO BOX 671 548 BROOKDALE DR	STATESVILLE	NC	28677
13155	07/01/1992	NO	BREEDEN, PATRICIA CLEARY, MD	NORTHERN NAVAJO MEDICAL CENTER 54 SUNDANCE P.O. BOX 2067	NEDERLAND	CO	80486
04319	06/22/1990	NO	BREELAND, JEWELL JEROME, JR, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
17459	12/17/2001	NO	BREITLING, MELISSA AMELIA, MD	1MA SOUTH MADISON			
09024	06/19/1980	NO	BRIGGS, THOMAS BERRY, MD	1965 S. FREMONT, STE. #3700	TUPELO	MS	38801
12958	08/19/1991	NO	BRITTON, LEON CHARLES, MD	DEPT OF EMERGENCY CROUSE HOSPITAL 736 IRVING AVE	SPRINGFIELD	MO	65804
02451	06/19/1946	NO	BROCK, DEWITT TALMADGE, JR, MD	3820 HAWTHORN DR	SYRACUSE	NY	13210
05248	06/15/1968	NO	BROOKS, MARGARET HAVEN, MD	150 REED SPRINGS RD	JACKSON	MS	39206
16317	05/10/1999	NO	BROWN, JOHN FRANKLIN, JR, MD	MEMORIAL HOSPITAL 4500 13TH ST.	PHILADELPHIA	TN	37846
05769	06/11/1969	NO	BUCHANAN, BENJAMIN HAL, JR, MD	4361 S EASON STE 102 BOX 1506	GULFPORT	MS	39501
03307	06/22/1953	NO	BUCKLEY, JOHN PURCER, JR, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.	TUPELO	MS	38802
14673	12/18/1995	NO	BUJENOVIC, LUKE STEVEN, MD	OL/DEPT OF NUC MED 5000 HENESSEY BLVD			
06625	06/15/1973	NO	BUMGARDNER, JOE RONNY, MD	8 COUNTRYSIDE RD	BATON ROUGE	LA	70810
13076	02/24/1992	NO	BURKE, LARRY DALE, MD	20 S DUDLEY, STE 601B	STARKVILLE	MS	39759
05343	06/15/1968	NO	BURRUS, SWAN BRASFIELD, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.	MEMPHIS	TN	38103
17055	01/08/2001	NO	CAESAR, MICHELLE SIMONET, MD	1414 HOSPITAL STREET			
03115	06/20/1951	NO	CALHOUN, WILLIAM FELIX, JR, MD	1 ELGIN PLANTATION RD	GREENVILLE	MS	38701
05420	06/07/1967	NO	CALVERT, WILLIAM ERNEST, MD	300 MARION AVE.	NATCHEZ	MS	39120
10978	04/19/1986	NO	CAMPBELL, EDWARD M, IV, MD	10545 LAKE FOREST BLVD	MCCOMB	MS	39648
13512	07/01/1993	NO	CAMPBELL, JILL CLEMONS, MD	5200 BABCOCK ST NE # 108	NEW ORLEANS	LA	70127
09949	07/01/1983	NO	CANNELLA, DOMINIC MICHAEL, MD	812 GARFIELD ST	PALM BAY	FL	32905
16841	07/05/2000	NO	CAPLAN, JEFFREY ERIC, MD	UNIVERSITY OF MISSISSIPPI 2500 N. STATE STREET	TUPELO	MS	38801
05421	06/07/1967	NO	CAPOTE, DAGOBERTO TEODULO, MD	19 E YATES S	JACKSON	MS	39216
08510	10/24/1978	NO	CARON, JOHN JOSEPH OSCAR, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.	MEMPHIS	TN	38120
06990	08/08/1974	NO	CARR, THOMAS MARTIN, JR, MD	587 S BELVEDERE BLVD			
07904	06/13/1977	YES	CARROW, DONALD JAMES, MD	FLORIDA INSTITUTE OF HEALTH 4908-A CREEKSIDE DR	MEMPHIS	TN	38104
02384	06/27/1945	NO	CAVETT, JAMES RICHARD, JR, MD	4123 N HONEYSUCKLE LANE	CLEARWATER	FL	33780
13429	03/29/1993	NO	CHANDEL, VIJAYA K, MD	FAMILY ENRICHMENT INSTITUTE 5909 SHELBY OAKS DR STE 212	JACKSON	MS	39211
17236	06/11/2001	NO	CHANSOLME, DAVID HENRI, MD	DEPT OF MEDICINE TULANE SCHOOL OF MEDICINE 1430 TULANE AVE	MEMPHIS	TN	38134
03310	06/22/1953	NO	CHATHAM, LOUIS STILES, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.	NEW ORLEANS	LA	70112
16421	07/19/1999	NO	CHALVIN, EDGAR JOSEPH, MD	CONWAY CARDIOTHORACIC SURGERY 525 WESTERN AVE STE 302			
13826	05/23/1994	NO	CHEN, HAROLD, MD	DEPARTMENT OF PED ROOM 5-323 LSU MEDICAL CENTER 1501 KINGS HWY	CONWAY	AR	72032
15174	01/06/1967	NO	CHINN, ALBERT JONES, MD	910 MADISON #608	SHREVEPORT	LA	71103
					MEMPHIS	TN	38103

License	Issued	Disciplinary	Name	Address	City	State	Zip
16932	09/11/2000	NO	CHRISTOPHER, KAYE ROMAYNE, MD	MIDSOUTH NEPHROLOGY CONSULTANTS 448 N 2ND	MEMPHIS	TN	38105
14166	10/24/1994	NO	CLARK, JIMMIE DENISE, MD	STE 905 701 UNIVERSITY BLVD E	TUSCALOOSA	AL	35401-2087
04589	06/21/1961	NO	CLARK, RICHARD HARRY, JR, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
05970	06/12/1970	NO	CLARK, WILLIAM FLENOY, JR, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
16386	06/28/1999	NO	CLAYPOOL, DAVID JAMES, MD	DEPT OF EMERGENCY MEDICINE UMC 2500 N STATE ST	JACKSON	MS	39218
15298	05/12/1997	NO	CLEMENTS, KELLY SWEENEY, MD	OCHSNER CLINIC BATON ROUGE 9001 SUMMA AVE.	BATON ROUGE	LA	70809
03295	12/01/1952	YES	CLEVELAND, CRAWFORD HAL, MD	TRI COUNTY EYE CLINIC 3600 W BEACH BLVD	BOONEVILLE	MS	39501-1730
02592	06/26/1947	NO	CLEVELAND, WEBSTER, JR, MD	101 WILDWOOD DR	BOONEVILLE	MS	38829-2545
09732	07/01/1982	NO	COCHRAN, THOMAS SAMUEL, JR, MD	POUDUE VALLEY HOSPITAL 1024 LEMAY AVE	FORT COLLINS	MS	80524
05423	06/07/1967	NO	COCKROFT, ROBERT LAWRENCE, MD	METH HOSP DEPT RADIOLOGY 3980 COVINGTON PIKE	MEMPHIS	TN	38128
06393	06/07/1972	NO	COHEN, THOMAS LEONARD, MD	E CENTRAL AVE RADIOLOGY LAFOLLETTE MEDICAL CENTER	LAFOLLETTE	TN	37766
04175	06/24/1959	NO	COLE, DAVID OWEN, SR, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
05515	06/07/1967	NO	CONN, JULIAN HAROLD, MD	3938 RESTBROOK PLACE	JACKSON	MS	39211
09215	08/11/1990	NO	COOPER, THOMAS PERRY, MD	3890 MURPHY CANYON RD. STE., 200	SAN DIEGO	CA	92123
13947	07/01/1994	NO	COPELAND, DEBORAH LEIGH, MD	PARKWEST FAMILY MEDICINE 1179 GREENMOR DR	BESSEMER	AL	35022
03648	06/29/1955	NO	COSTLEY, LAWSON CHASTIEL, JR, MD	1908 LAKESHORE DR	TUPELO	MS	38801
03181	05/25/1952	NO	COVINGTON, JOE STREET, MD	4824 18TH AVENUE	MERIDIAN	MS	39305
11179	08/20/1986	NO	COX, DIETHRA DIANE, MD	METRO HEALTH CLEMENT CTR 2500 E 79TH ST	CLEVELAND	OH	44104
10565	10/11/1984	NO	COX, MILLARD THURSTON, JR, MD	MADISON COUNTY MEDICAL CTR HWY 16 E	CANTON	MS	39046
06395	08/07/1991	NO	CRABTREE, JAY BENNETT, MD	8 SABIOTE LANE	HOT SPRINGS VILLAGE	AR	71909
03382	06/22/1953	NO	CREEKMORE, MAURICE ALEXANDER, MD	1121 ARNOLD P O BOX 278	GREENVILLE	MS	38701
06397	06/07/1972	NO	CRIDDLE, FRANK JEFFERSON, JR, MD	27927 WILD BLOOM	SAN ANTONIO	TX	78280
05379	12/09/1966	NO	CSERNY, HUBA ANDREW, MD	1645 RALEIGH RD	RALEIGH	IL	62977
04764	12/03/1962	NO	CULLER, OSCAR ZEIGLER, MD	1814 BEACH DR	GULFPORT	TX	77979-2512
16529	11/29/1999	NO	CUMMINS, MICHELLE MARIE, MD	1300 N. VIRGINIA ST. STE. 112	PORT LAVACA	TX	38104
12063	05/09/1989	NO	CUNNINGHAM, DALE PRESTON, MD	METHODIST HOSP SYSTEM 1325 EASTMORELAND AVE-610	MEMPHIS	TN	38104
14840	06/17/1996	NO	CURRAN, EDWARD LAWRENCE, MD	WEST GEORGIA EYE CENTER 2616 WARM SPRINGS RD	COLUMBUS	GA	31904
09912	06/02/1983	NO	D'AUGUSTINE, ALAN ALPHONSE, DO	1006 BISHOP	GROSSE POINTE	MI	48230
16472	08/09/1999	NO	DANILUJ, NAMIR FAISAL, MD	591 CAMINO DE LA REINA SUITE 1219	SAN DIEGO	CA	92108
02874	12/12/1949	NO	DANIEL, CARLTON RALPH, JR, MD	201 MEDICAL ARTS BLDG E 1190 N STATE ST	JACKSON	MS	39202
15253	03/31/1997	NO	DASGUPTA, ANIRUDHA, MD	CANCER TREATMENT CENTER ONE ST MARY PL	SHREVEPORT	LA	71101
16637	12/06/1999	NO	DAVID, GERARD ROQUE, MD	HOLLANDALE PRIMARY CARE CLINIC 1257 HWY 81 S	HOLLANDALE	MS	38743
09580	06/15/1982	NO	DAVIES, THOMAS CLIFFORD, MD	1304 LEE DR DRAWER 427	FARMVILLE	VA	23901
10263	07/01/1984	NO	DAVIN, JEFFREY SCOTT, MD	11125 KENWOOD RD	CINCINNATI	OH	45242
06905	06/20/1974	NO	DAVIS, BONNIE LEE, MD	102 PIDGEON RD	MEMPHIS	TN	38117
04182	06/24/1959	NO	DAVIS, CLIFTON B, MD	320 HWY 98E UNIT 501	DESTIN	FL	32541
15920	07/13/1998	NO	DAVIS, GREGORY WADE, MD	180 E POINT COURT	NEW ORLEANS	LA	70128
09968	07/01/1983	NO	DEAN, PHILIP COLEMAN, MD	4851 GRANDE DR	PENSACOLA	FL	32504
07571	06/04/1978	NO	DEBERARDINIS, MICHAEL CHARLES, MD	336 SHAWNEE LANE	SUPERIOR	CO	80027
15543	08/25/1987	NO	DESQUITADO-TABORA, MARIA S.C. REYES, MD	3009 WEST CHARLESTON BLVD	LAS VEGAS	NV	39102
12735	02/04/1991	NO	DIGASTANO, DOLORES MARIA, MD	8001 CENTERVIEW PKWY STE 102	CORDOVA	MS	38018
15255	04/07/1967	NO	DODD, DAVID JAMES, MD	6005 PARK AVE STE 329-B	MEMPHIS	TN	38119
09239	09/15/1980	NO	DOLVAS, STAVROS GEORGE, MD	501 ELMWOOD AVE.	WILMETTE	IL	60091-1973
11224	10/06/1986	NO	DOVE, GARY LEE, MD	CAROLINAS HOSPITAL SYSTEM DEPT OF ANESTHESIA 805 PAMPLICO HWY PO BOX 100549	FLORENCE	SC	29505
05263	06/15/1966	NO	DUGGAR, PERRY NEIL, MD	ONE EASTMONT PLACE	JACKSON	MS	39211
12729	01/23/1991	NO	DULLIGAN, MICHAEL PETER, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
12612	07/23/1990	NO	DUNCAN-CODY, BARBARA ALFREDA, MD	1174 POPLAR AVE	MEMPHIS	TN	38105
03187	06/23/1952	YES	DUNN, FELIX HENRY, MD	1917 38TH AVE	GULFPORT	MS	39501
12726	01/22/1991	NO	DUONG, TONG CHINH, MD	SUITE B 643 E. CAPE CORAL PKWY	CAPE CORAL	FL	33904
16189	01/11/1999	NO	DWYER, MICHAEL DAVID, MD	NEONATOLOGY ASSOCIATES P C 5555 PEACHTREE DUNWOODY RD STE 349	ATLANTA	GA	30342
16787	06/05/2000	NO	EBEL, BRADLEY ALAN, DO	770 PINE ST STE 260	MACON	GA	31201
15472	08/11/1997	NO	EDALAT, KEIVAN, MD	KINGSBURG DISTRICT HOSPITAL 1200 SMITH ST.	KINGSBURG	CA	93631
04339	06/22/1960	NO	EDWARDS, JOHN BERLYN, MD	14101 CERRO VERDE DR	OCEAN SPRINGS	MS	39564

License	Issued	Disciplinary Name	Address	City	State	Zip
09710	07/12/1982	NO	EHLENBERGER, ERIC REED, MD	724 FOUCHER	NEW ORLEANS	LA 70115
14602	10/02/1995	NO	EINHAUS, STEPHANIE L, MD	SEMMES-MURPHEY CLINIC 930 MADISON AVE STE 600	MEMPHIS	TN 38103
14660	12/04/1995	NO	ELLIOTT, CLYDE DALE, MD	1004 1ST ST STE 200	ALABASTER	AL 35007
03728	06/27/1956	NO	ELLIS, DAVID BRADLEY, MD	210 HWY 30 W	NEW ALBANY	MS 38652
16646	12/13/1999	NO	ELLIS, JAMES KEVIN, MD	THE MEDICAL ONCOLOGY GROUP 1110 BROAD AVE STE 500	GULFPORT	MS 39501
04343	06/22/1960	YES	ELLISON, RICHARD BEIRNE, MD	RADIOLOGY DEPT ST DOMINIC JACKSON MEM HOSPITAL 969 LAKELAND DR	JACKSON	MS 39216
03385	06/22/1953	YES	ELLZEY, PAUL CONIOUS, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.		
15968	07/28/1998	NO	ENGLISH, WILLIAM PAUL, MD	DEPT OF SURGERY UMC 2500 N STATE ST	JACKSON	MS 39216
14327	05/08/1995	NO	EPLING, JOHN PHILIP, MD	2303 LINE AVE	SHREVEPORT	LA 71104
16674	02/07/2000	NO	ERATO, THADDEUS RAY, JR, MD	NORTHSHORE REGIONAL MEDICAL CENTER	SLIDELL	LA 70460
16297	05/03/1999	NO	ESTEP, RITA MERJE, MD	OAKWOOD 2441 S HWY 27	SOMERSET	KY 42501
17169	04/23/2001	NO	EVANKOVICH, CHRISTINE, MD	165 BRUGH AVE STE 205	BUTLER	PA 18001
08334	08/08/1978	NO	EVERSON, FREDDIE LEE, MD	HEALTH FIRST MEDICAL GROUP MIDTOWN HEALTH CENTER 1588 UNION AVE	MEMPHIS	TN 38104
15249	03/31/1997	NO	FAWAZ, SHARON SHELTON, DO	RURAL HEALTH CLINIC HEALTH MARK REGIONAL MEDICAL CENTER 4413 US HWY, 331 S.	DEFUNIAK SPRINGS	FL 32435
07952	08/05/1977	NO	FAZIO, FRANK LOUIS, MD	710 COLONIAL DR	BATON ROUGE	LA 70806
03523	06/23/1954	NO	FELTS, NOLLIE CARPENTER, JR, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.		
13467	06/08/1993	NO	FIDEL, FRANCIS G, MD	791 OAK ST	ATLANTA	GA 30321-1128
17170	04/23/2001	NO	FINEBERG, STEVEN LEE, MD	KEESLER AFB MEDICAL CENTER 81 MDOS KEESLER AFB	BILOXI	MS 39534
00912	06/24/1938	NO	FISACKERLY, JAMES SAMUEL, MD	1338 KENSINGTON DR	BILOXI	MS 39530
80013	06/01/1949	NO	FITZGERALD, WILLIAM PROUD, JR, DPM	1906 JERRY LANE SE.# B-101	PORT ORCHARD	WA 98366-5660
02081	05/28/1942	NO	FLAGG, GEDDES BROADWELL, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.		
14154	10/10/1994	NO	FLYNN, TIMOTHY CORCORAN, MD	P O BOX 5129	CARY	NC 27512
15979	07/29/1998	NO	FORBUS, GEOFFREY ALLEN, MD	DEPT OF MEDICINE/PEDIATRICS UMC 2500 N STATE ST	JACKSON	MS 39216
03191	06/25/1952	NO	FORD, RALPH DOYLE, MD	116 HOSPITAL ST	RIPLEY	MS 38663
02604	06/25/1947	NO	FOSTER, JAMES RAY, MD	2366 PATRICIA PL	BILOXI	MS 39532
12791	06/03/1991	NO	FOX, CHRISTOPHER DAVID, MD	102 AYSHIRE CT.	SLIDELL	LA 70481
13703	11/08/1993	NO	FOX, DANIEL ROBERT, MD	6275 PLEASANT TOP ROAD	ARLINGTON	TN 38002
02433	09/01/1945	NO	FRANKS, CECIL SHEFFIELD, MD	2100 COUNTRY CLUB RD	TUPELO	MS 38801
11357	07/01/1987	NO	FULTON, LORELIE J, MD	1963 MCDOWELL RD	JACKSON	MS 39204
02418	06/27/1945	NO	GABLE, GERALD PHILLIPS, MD	304 BEVERLY LANE	HATTIESBURG	MS 39402
10227	06/19/1984	YES	GABRIEL, DEBRA JEAN, MD	138 DAVIS WOODS DR.	COLUMBUS	MS 39705
03057	08/20/1951	NO	GADDY, JAMES HURD, MD	18072 COMMISSION RD	LONG BEACH	MS 39660
17237	06/11/2001	NO	GAILJUNAS, PAUL, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.		
09574	05/21/1982	NO	GANDY, PAUL EUGENE, MD	378 CALUMET COURT		
02974	06/22/1950	NO	GANDY, THOMAS HOWARD, MD	408 N PEARL ST	BOWLING GREEN	KY 42104
05057	12/07/1954	YES	GARBIN, FRANK GEORGE, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.	NATCHEZ	MS 39120
13669	09/17/1993	NO	GARCIA, MARY ANN VENTURA, MD	MAGNOLIA DOCTORS' PLAZA 703 ALCORN DR STE 105	CORINTH	MS 38834
15512	08/18/1997	NO	GARDNER, JAMES ERIC, MD	7282 TRAILWOOD LANE	GERMANTOWN	TN 38138
14900	07/08/1996	NO	GEATER, BARBARA ELLA, MD	2245 SOUTH LAUDERDALE	MEMPHIS	TN 38106
04278	06/24/1959	NO	GEE, HAPPY LIN, MD	809 NORTH STATE ST STE 501	JACKSON	MS 39202
18077	09/28/1998	NO	GEHRIG, LAURA BRUSE, MD	LSU MEDICAL CENTER 1501 KINGS HWY P O BOX 33982	SHREVEPORT	LA 71130-3932
11585	10/28/1987	NO	GEORGE, DIANE CAROL THOMPSON, MD	300 20TH AVE N STE 400	NASHVILLE	TN 37203
03735	06/27/1956	NO	GEORGE, RICHARD LAMAR, MD	904 N 2ND AVE	COLUMBUS	MS 39701-4706
13377	11/30/1992	NO	GETTELFINGER, THOMAS CLEMENT, MD	6485 POPLAR AVE	MEMPHIS	TN 38119
05879	06/11/1969	NO	GILES, WILLIAM GARY, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.		
03195	06/25/1952	NO	GILLESPIE, GUY TILLMAN, JR, MD	STRONG RIVER FARM	PINOLA	MS 39149-0089
03196	06/25/1952	NO	GILLESPIE, WILLIAM MEEK, JR, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.		
08842	06/25/1979	NO	GILLESPIE, WILLIAM GEORGE, SR, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.		
08838	06/15/1973	NO	GILLIS, WILFRED REGINALD, MD	KENSINGTON RR#15 PRINCE EDWARD ISLAND P O BOX 665	CANADA, COBIMO	
05909	06/21/1968	NO	GIRDOD, MARVIN GLENN, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.		
12314	09/28/1989	NO	GLYNN, MARGARET MARY, MD	SEGARS CLINIC 1507 W QUITMAN ST		
80067	12/01/1982	NO	GOLD, ROBERT HENRY, DPM	NO PRIMARY PRACTICE ADDRESS ON FILE.	IUKA	MS 38852
16316	05/10/1989	NO	GOLDSTEIN, ROBERT FRED, MD	SEMMES-MURPHEY CLINIC 7803 SOUTHCREST PARKWAY STE 203	SOUTHAVEN	MS 38671

License	Issued	Disciplinary	Name	Address	City	State	Zip
15733	02/09/1998	NO	GOONERATNE, ROMESH SENANI, MD	LONG ISLAND JEWISH MEDICAL CENTER 270-05 76TH AVENUE	HYDE PARK	NY	11040
05436	06/07/1967	NO	GOUDELOCK, JOHN CLIFTON, MD	1400 COUNTY RD 73	MYRTLE	MS	38652
03596	06/27/1955	NO	GRAHAM, ROBERT MARSHALL, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
17327	07/30/2001	NO	GREENBERG, BERNARD STEVEN, MD	350 LAKE MANOR TRACE	ALPHARETTA	GA	30022
03597	08/27/1955	NO	GREGORY, BEN THOMAS, MD	9000 WOODRUN RD	PENSACOLA	FL	32514
03469	06/21/1954	NO	GRIFFIN, JAMES CURTIS, JR., MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
15403	07/14/1997	NO	GRIFFITH, PATRICIA LOUISE, MD	CLARKSDALE ORTHOPAEDIC & SPORTS MEDICINE CLINIC 3040 W. GOODMAN	HORN LAKE	MS	38673
04040	06/25/1958	NO	GUERRIERO, JAMES PREWETT, MD	10 SIGNAL HILL LANE	VICKSBURG	MS	39180
16171	12/21/1998	NO	GUILLMETTE, JEFFREY ANTHONY, MD	OCHSNER CLINIC 4225 LAPALCO BLVD	WARRENO	LA	70072
15709	01/05/1998	NO	GUNAWARDENE, ISHAN AJANTHA, MD	AMERICAN MEDICAL CLINIC 3306 US HWY 19	HOLIDAY	FL	34691
03199	06/25/1952	NO	GUNN, CLYDE HUBERT, JR., MD	4225 ROBINSON AVE	MOSS POINT	MS	39563
03061	06/20/1951	NO	GUNN, WALTER DILL, MD	418 E FRANKLIN	QUITMAN	MS	39355
02755	06/30/1948	NO	GUYTON, ARTHUR CLIFTON, MD	UMC DEPT OF PHYSIOLOGY 2500 N STATE ST	JACKSON	MS	39216
16416	07/12/1999	NO	HABIBIPOUR, SAIED, MD	DEPT OF SURGERY UMC 2500 N STATE ST	JACKSON	MS	39216
17535	02/25/2002	NO	HAGGERTY, PHILLIP JOHN, MD	WESLEY H.C. HOSPITAL DR	HATTIESBURG	MS	39402
04516	06/21/1961	NO	HAMILTON, GEORGE CARLISLE, JR., MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
06414	06/07/1972	NO	HANCOCK, JOHN DENNIS, MD	102 HIGHLAND AVE STE 201	ROANOKE	VA	24013
12676	10/01/1990	NO	HAND, JAMES EDGAR, MD	LA STATE PENITENTIARY	ANGOLA	LA	70712
13460	06/03/1993	NO	HANDORF, CHARLES RUSSELL, MD	1265 UNION AVE 6 SHERARD	MEMPHIS	TN	38104
02922	06/22/1950	NO	HANEY, JOSEPH SANDERS, JR., MD	705 BROAD ST	COLUMBIA	MS	39429
07988	06/08/1977	NO	HANKINS, MELISSA, MD	102 DANBURY LANE	HATTIESBURG	MS	39401
03652	06/29/1955	NO	HARDY, JAMES DANIEL, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
15439	07/28/1997	NO	HARLIN, STUART ANTHONY, MD	5149 N. 9TH AVE. SUITE 104	PENSACOLA	FL	32504
16164	12/14/1996	NO	HARRIER, HARVIE DALE, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
10178	02/05/1984	NO	HARRIS, JONATHAN, MD	528 3RD STREET	CLARKSDALE	MS	38614
11493	07/01/1987	NO	HARRIS, KENNETH WAYNE, MD	3980 KNIGHT ARNOLD RD STE #305	MEMPHIS	TN	38118
14793	05/06/1996	NO	HASHIMOTO, LUIS ALEJANDRO, MD	SURGICAL SERVICE G V MONTGOMERY VA MEDICAL CENTER 1500 E WOODROW WILSON	JACKSON	MS	39216-5199
15436	07/28/1997	NO	HATZIS, NICK, MD	7443 PICARDY AVE	BATON ROUGE	LA	70808
15898	06/29/1998	NO	HECK, DONALD VINCENT, MD	RADIOLOGICAL GROUP PA 1405 N STATE ST	JACKSON	MS	39216
15639	10/13/1997	NO	HEGGEN, JUDITH ANN, DO	CHILDREN'S HEALTHCARE OF ATLANTA EGGLESTON CHILDRENS HOSP. AT EMORY 1405 CLIFTON RD N.E.	ATLANTA	GA	30322-1062
03560	12/06/1954	NO	HENDERSON, ROBERT PARK, MD	RAD DEPT RANKIN MED CTR 350 CROSSGATE BLVD	BRANDON	MS	39042
07666	08/09/1976	NO	HENDRIX, MAECENAS BENTON, III, MD	2300 MANCHESTER EXPWY BLDG G	COLUMBUS	GA	31904
17217	05/21/2001	NO	HERRIN, CALLIE, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
03601	06/27/1955	NO	HERRING, JACK LOCKE, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
02609	06/25/1947	NO	HERRING, MAURICE FRANCIS, JR., MD	838 WINDY RD	GILBERT	SC	29054
15595	09/15/1997	NO	HESSE, SABINE VERA, MD	BROWARD ENT AND ALLERGY MEDICAL 1 4191 N W 4TH ST STE 100	PLANTATION	FL	33317
04282	06/24/1959	YES	HICKS, HERBERT HOLLIS, MD	489 N. PALESTINE RD.	NATCHEZ	MS	39120
11042	07/01/1986	NO	HILLEBERT, SUSAN ANNETTE, MD	2860 COVINGTON PIKE	MEMPHIS	TN	38128-8050
05363	12/08/1966	NO	HINES, HAROLD BRINKLEY, MD	P O BOX 177	WALNUT	MS	38683
05625	06/21/1968	NO	HOBSON, GERALD JOSEPH, MD	1030 13TH AVE.	COLUMBUS	GA	31907
03384	12/08/1966	NO	HOCKADAY, PERRY JONES, MD	4105 HOSPITAL ST STE 105-B	PASCAGOULA	MS	39581
06821	12/07/1973	NO	HOGAN, GWENDOLYN ROSALIE, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
03291	12/01/1952	NO	HOGAN, MARY ELIZABETH, MD	3470 JANET ST	PEARL	MS	39208
10919	11/19/1985	NO	HOGG, DAVID EARL, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
08167	02/02/1978	NO	HOLLA, VATHSALA S, MD	COMMUNITY MED CTR 1822 MULBERRY ST	SCRANTON	PA	18510
04989	06/17/1964	NO	HOLLINGSHEAD, CHARLES AARON, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
03206	06/25/1952	NO	HOLLINGSWORTH, ROBERT THOMAS, JR., MD	DRAWER 87 901 FORREST ST	SHELBY	MS	38774
09277	12/10/1990	NO	HOLMES, RICHARD EARL, SR, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
05445	06/07/1967	NO	HOOD, STEPHEN THOMAS, MD	METROPOLITAN ANESTHESIA ALLIANCE 6060 POPLAR AVE STE 364	MEMPHIS	TN	38119
02331	10/18/1944	NO	HORN, LACY GEORGE, JR., MD	1107 WINDY LAKE DR	VICKSBURG	MS	39180
12126	07/01/1969	NO	HORNE, STEPHEN GARY, MD	1241 RIVERSIDE AVE STE 200	FT COLLINS	CO	80524
80099	12/01/1990	NO	HOROWITZ, BRIAN D, DPM	1669 STATELINE RD	SOUTHAVEN	MS	38671

License	Issued	Disciplinary	Name	Address	City	State	Zip
13036	12/23/1991	NO	HORTON, WILLIAM LEON, DO	102 GROSS CRESCENT #500	FT OGLETHORPE	GA	30742
13148	06/22/1992	NO	HOWARD, MARTIN LEONARD, JR, MD	180 B DEBUYS RD, SUITE 225	MS		39631
13183	07/01/1992	NO	HOWELL, GARY A, MD	THE OREGON CLINIC 507 N.E. 47TH AVE.	PORTLAND	OR	97213-2286
12353	12/04/1989	NO	HUDSON, RICKEY HUGH, SR, MD	4299 ELVIS PRESLEY BLVD	MEMPHIS	TN	38116
00919	08/24/1938	NO	HULL, JOSEPH AUDRY, MD	122 E BAKER ST	INDIANOLA	MS	38751
03332	08/22/1953	YES	HURST, JOSEPH LEWIS, MD	PRENTISS CTY HEALTH DEPT 815 E PARKER DR	BOONEVILLE	MS	38829
07021	08/08/1974	NO	HUTCHINS, KELLY EUGENE, MD	37 JEFF BYRD RD	LAUREL	MS	39443
04377	06/22/1960	NO	HUTCHINS, WILEY CARTER, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
16817	06/19/2000	NO	IDOM, CHARLES BUDDY, MD	20 S. DUDLEY STE. 203B	MEMPHIS	TN	38103
15123	11/12/1996	NO	ILERCIL, ORHAN, MD	RUSH MEDICAL GROUP PA 1800 12TH ST	MERIDIAN	MS	39301
15274	04/21/1997	NO	IRWIN, DONALD BRUCE, MD	2147 RIVERCHASE OFFICE RD.	BIRMINGHAM	AL	35244
15886	09/22/1998	NO	ISLER, CHRISTY M, MD	DEPT OF OB/GYN E. CAROLINA UNIVERSITY BRODY RM. 150 PCMH TEACHING ANNEX	GREENVILLE	NC	27858-4354
14269	02/27/1995	NO	JACEWICZ, MICHAEL, MD	8325 HUMPHREYS BLVD	MEMPHIS	TN	38120
08079	08/31/1977	NO	JACOB, RUDOLPH DANIEL, MD	4228 HOUMA BLVD STE 340	METAIRIE	LA	70006
05630	06/21/1968	NO	JAMCHUK, ANTONIO, MD	201 SOUTH CHESTNUT STREET	ABERDEEN	MS	39730
05631	06/21/1968	NO	JAMCHUK, NANCY ALBERTINA, MD	201 SOUTH CHESTNUT STREET	ABERDEEN	MS	39730
06061	08/12/1970	NO	JAMES, HAL PEARSON, MD	61 PINEHURST	MEMPHIS	TN	38117
03743	06/27/1956	NO	JAMES, JOHN HASSEL, MD	611 HWY 42	PETAL	MS	39465
06423	06/07/1972	NO	JERNBERG, WILLIAM CURTIS, MD	2300 MARIE CURIE	GARLAND	TX	75042
14231	01/17/1995	NO	JIMENEZ, KAREN LORRAINE, MD	GEORGE COUNTY HOSPITAL 859 S WINTER ST	LUCEDALE	MS	39452
05931	12/04/1969	NO	JOHNSON, CLEVELAND ERIC, MD	424 S 13TH AVE P O BOX 2868	LAUREL	MS	39442
01011	12/05/1939	NO	JOHNSON, CYRUS CLEVELAND, JR, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
03906	06/28/1957	NO	JOHNSON, HUGH RICHARD, JR, MD	971 LAKELAND DR STE 1460	JACKSON	MS	39216
10289	07/01/1984	NO	JOHNSON, JACK LEEGON, JR, MD	1175 DIANE CIRCLE	LEWISVILLE	TX	75067
14167	10/24/1994	NO	JOHNSON, MICHAEL ALAN, MD	DEPARTMENT OF EMERGENCY MEDICINE SHANDS JACKSONVILLE 855 WEST 8TH ST	JACKSONVILLE	FL	32209
10080	07/01/1983	NO	JOHNSTON, ROBERT JAMES, JR, MD	801 PRINCETON AVE STE 310	BIRMINGHAM	AL	35521
02523	06/19/1946	NO	JOHNSTON, JAMES HARVEY, JR, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
15001	08/19/1996	NO	JOHNSTON, LEWIS DUBARD, MD	MADISON FAMILY MEDICAL CLINIC 7724 OLD CANTON RD	MADISON	MS	39110
12513	07/01/1990	NO	JOLLY, GENEVIA KENDALL, MD	JOLLY PSYCHIATRIC ASSOCIATES 320 WALNUT BEND S STE 2	CORDOVA	TN	38018
15994	07/30/1998	NO	JONES, BILLY PAUL, MD	DEPT OF PEDIATRICS UMC 2500 N STATE ST	JACKSON	MS	39216
16737	05/01/2000	NO	JONES, CHRISTOPHER KEITH, MD	MS SPORTS MEDICINE 1325 E. FORTIFICATION ST.	JACKSON	MS	39202
80156	02/22/1999	NO	KAHN, DOUGLAS HOWARD, DPM	6809 FINAMORE CIRCLE	LAKE WORTH	FL	33467
15391	07/14/1997	NO	KALATHOOR, SUNEETHA REDDY, MD	FORSYTH MEMORIAL HOSPITAL 3333 SILAS CREEK PARKWAY	WINSTON-SALEM	NC	27103
13438	04/19/1993	NO	KALLIATH, ANTHONY J, MD	202 DR HICKS BLVD	FLORENCE	AL	35630
15484	08/11/1997	NO	KAPLAN, ADAM JARED, MD	GENERAL SURGICAL SPECIALISTS 229 W. BUTE ST.	NORFOLK	VA	23452
15367	06/30/1997	NO	KARTEL, DOUGLAS STUART, MD	WESLEY MEDICAL CENTER 5001 HARDY ST	HATTESBURG	MS	39402
13348	09/30/1992	NO	KASSER, CHRISTINE LEE, MD	SUITE 5 320 WALNUT BEND	CORDOVA	TN	38018
83109	08/01/1992	NO	KAYE, MICHAEL RICHARD, DPM	8684 RHONDA CIRCLE SOUTH	CORDOVA	TN	38018
04296	12/07/1959	NO	KEADY, DWIGHT S, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
03748	06/27/1956	NO	KEEL, DANIEL TALMADGE, JR, MD	309 RIPLEY RD.	BROOKHAVEN	MS	39601
13070	02/10/1992	NO	KELADA, MERVAT GAMIL, MD	DEANZA MEDICAL GROUP 1001 BLAIR AVE	CALEXICO	CA	92231
10928	12/10/1985	NO	KENAGY, BENJAMIN EUGENE, MD	5459 DAVIDSON ST SE	ALBANY	OR	97321
16285	04/19/1999	NO	KHAN, ABDUL MATEEN, MD	1051 GAUSE BLVD STE 260	SLIDELL	LA	70021
16568	10/04/1999	NO	KHAN, SAMEENA, MD	VITREORETINAL FOUNDATION 825 RIDGELAKE BLVD STE 310	MEMPHIS	TN	38120
14967	08/01/1996	NO	KILAMBI, NIRMAL KUMAR, MD	HOT SPRINGS UROLOGY ASSOC. 220 MCAULY CT.	HOT SPRINGS	AR	71913
03209	06/25/1952	NO	KILLELEA, DONALD EDWARD, MD	510 S UNION	NATCHEZ	MS	39120
03562	12/06/1964	NO	KING, BILLY DEWELL, MD	5971 HWY 585	JONESVILLE	LA	71343
13482	06/07/1993	NO	KING, LOUIS DOUGLASS, MD	3286 DARBY DAN COVE	GERMANTOWN	TN	38138
06464	08/24/1978	NO	KINGTON, JOHN MICHAEL, MD	3875 LAKEMONT DR	MEMPHIS	TN	38126
10706	07/01/1985	NO	KNUCKLES, GWENDOLYN, MD	7048 W H SMITH BLVD	GREENVILLE	NC	27834
07550	05/10/1978	NO	KNUTSON, RICHARD ALBERT, MD	1153 S. MAIN ST APT J-1	GREENVILLE	MS	38701
16895	08/07/2000	NO	KOUZMOVA-MCNEVA, MIROSLAVA H., MD	UNIV MS MED CENTER DEPT. OF INTERNAL MEDICINE 2500 NORTH STATE STREET	JACKSON	MS	39216
16445	07/29/1999	NO	KOZAK, SCOTT FRANCIS, MD	DEPT OF FAMILY MEDICINE UMC 2500 N STATE ST	JACKSON	MS	39216

License	Issued	Disciplinary Name	Address	City	State	Zip
14351	05/22/1995	NO	KRAYNACK, BARRY JOSEPH, MD	61 PAMELA DRIVE	DRUMS	PA 18222
14563	09/11/1995	NO	KREGOR, PHILIP JAMES, MD	UNIVERSITY ORTHOPAEDIC ASSOCIATES UMC PAVILION 2500 N STATE ST	JACKSON	MS 39216-4605
06929	06/20/1974	NO	KRIEGER, CHARLES WILLIAM, JR, MD	1850 GAUSE BLVD E STE 302	SLIDELL	LA 70461
19863	07/17/2000	NO	KRISHAN, RAJEEV, MD	SPRINGER CLINIC 6160 S. YALE	TULSA	OK 74136
15941	07/20/1998	NO	KRISHNAN, ARJUN RADHA, MD	DEPT OF RADIOLOGY UMC 2500 N STATE ST	JACKSON	MS 39216
03480	06/21/1954	NO	KROEZE, HERBERT ANDRE, JR, MD	551 MANNSDALE RD	MADISON	MS 39110
02529	06/22/1950	NO	KUEHNLE, BRUCE MCPHERSON, SR, MD	207 GLENWOOD DR	NATCHEZ	MS 39120
14115	09/12/1994	NO	KURDI, BACHAR, MD	1462 BROOKHURST, STE. A	GARDEN GROVE	CA 92840
15761	03/09/1998	NO	LACOUR, ALLEN JAMES, MD	NORTHLAKE RADIOLOGY CONSULTANTS 500 PONTCHARTRAIN DR SUITE 200	SLIDELL	LA 70458
15882	06/22/1998	NO	LADDEN, DAVID ALAN, MD	CARDIOVASCULAR CARE CENTER 3811 W. GORE SUITE 7	LAWTON	OK 73505
05804	08/11/1969	NO	LAMBERT, BUFORD LEWAYNE, MD	N MS MEDICAL CNT EMERGENCY SERV 830 GLOSTER	TUPELO	MS 38901
05805	06/11/1969	NO	LANCASTER, MARGIE GLENN, MD	12449 SPRINGRIDGE RD	TERRY	MS 39170
14946	07/30/1996	NO	LAND, SPENCER ANDREW, MD	UNIV OF MS MED CTR 2500 N STATE ST	JACKSON	MS 39216
02719	06/28/1948	NO	LANDRY, VICTOR EMMANUEL, MD	196 PARKER ST.	LUCEDALE	MS 39452
05062	12/07/1964	NO	LANE, DEWEY HOBSON, JR, MD	611 LAKEVIEW DR	PASCAGOULA	MS 39567
06066	06/12/1970	NO	LANGLOW, JOHN ROBINS, JR, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.		
13856	06/10/1994	NO	LATTA, GEORGE HAWORTH, III, MD	1032 SO SLATE CANYON DR	PROVO	UT 84606
15852	10/20/1997	NO	LAWLESS, MIKE ALBERT, MD	RADIOLOGY ASSOC. OF FORT WALTON BCH P. O. DRAWER 609	SHALIMAR	FL 32547
05234	12/30/1985	NO	LEBRUN, ANDRE JOSEPH, MD	3598 YACHT CLUB DR #702	AVENTURA	FL 33180
14535	08/21/1995	NO	LECCE, MICHAEL D., MD	106 HIGHLAND PARK	COVINGTON	LA 70443
17391	09/24/2001	NO	LEE, ERIC WEI-EN, MD	1325 E FORTIFICATION ST	JACKSON	MS 39202
04000	12/02/1957	NO	LEE, MARY ALICE, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.		
17140	04/02/2001	NO	LEE, WILLIAM FITZHUGH, MD	CLINIC FOR WOMEN OF CENTRAL MS 1820 HOSPITAL DRIVE	JACKSON	MS 39204-3469
02400	06/27/1945	NO	LEGGETT, J D, MD	P O BOX 1395	PARKER	AZ 85344
80077	01/01/1986	NO	LEIB, SIDNEY CYRIL, DPM	5209 POTOMAC RUN NORTH	WEST BLOOMFIELD	MI 48322
13418	03/01/1993	NO	LEMOS, LUCIANO BARBOSA, MD	UMC DEPT OF CYTOPATHOLOGY 2500 N STATE ST	JACKSON	MS 39216
15854	06/01/1998	NO	LEONARD, ERIC LAWRENCE, MD	UMC/DEPT OF RADIOLOGY 2500 N STATE ST	JACKSON	MS 39216
15588	09/15/1997	NO	LEONARD, MARY USA, MD	987 ROBERT BLVD	SLIDELL	LA 70458
14878	07/01/1996	NO	LEWIS, ADAM ISAAC, MD	ST. DOMINIC EAST TOWER STE 601 971 LAKELAND DR	JACKSON	MS 39216
03484	06/21/1954	NO	LEWIS, EARL THURMAN, MD	1232 PRINCETON LANE	WEST CHESTER	PA 19380-5722
03913	06/26/1957	NO	LEWIS, RAYMOND, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.		
12614	07/23/1990	NO	LILJEBERG, ROBERT L, MD	2165 MEDICAL PARK DR.	HICKORY	NC 28602
05222	12/16/1965	NO	LIPSCOMB, LEWIS DUBARD, MD	2110 BRACKENSHIRE CIR	JACKSON	MS 39211-5836
09619	11/22/1982	NO	LITWIN, MARTIN S, MD	TULANE MED CTR 1415 TULANE AVE	NEW ORLEANS	LA 70112
14852	06/24/1996	NO	LONGSTREET, MICHAEL THOMAS, MD	348 CROSSGATES BLVD STE 1500	BRANDON	MS 39042
02009	06/27/1941	NO	LOTTERHOS, WILLIAM EAST, MD	664 S STATE ST	JACKSON	MS 39201
11675	05/23/1988	NO	LOVELESS, SCOTT BARCLAY, MD	2850 FIVE OAKS LANE	BIRMINGHAM	AL 35243
04297	12/07/1959	NO	LUINA, RAMON RAFAEL, MD	518 51ST ST	MERIDIAN	MS 39305
06005	06/12/1970	NO	LUNZER, STEVEN, MD	907 6TH ST SW APT 515	WASHINGTON	DC 20024
14301	04/03/1985	NO	LUZ, VICTOR JOSEPH, MD	28 W MACCLENNEY AVE STE 5	MACCLENNEY	FL 32063
16278	04/05/1989	NO	LYRENE, GEORGE ALLAN, MD	632 SCENIC DR NE	CULLMAN	AL 35055
07780	10/13/1978	NO	MACINTYRE, ELIZABETH HENDERSON, MD	DEPT OF PATHOLOGY GRENADA LAKE MEDICAL CTR 960 AVENT DR	GRENADA	MS 38901-5094
15142	12/02/1996	NO	MADDEN, MICHAEL CARL, MD	N BAY FAMILY MEDICAL CLINIC 15012 LEMOYNE BLVD	BLOXI	MS 39532
04068	06/25/1958	NO	MAGEE, DENNIS ELTON, MD	15520 HWY 813 2809 DENNY AVE	MOSS POINT	MS 39567
05363	06/15/1966	NO	MAIER, ALICE HULL, MD	2421 BEACH BLVD	PASCAGOULA	MS 39567
13089	03/16/1992	NO	MANYAM, KURMANATH, MD	6297 PINECROFT CT	FLINT	MI 48532
03487	06/21/1954	NO	MARCHAND, JOHN HAROLD, JR, MD	3278 BRIARWOOD	HENDERSON	KY 42420
03344	06/22/1953	NO	MARTINOLICH, ANDREW KENNETH, JR, MD	599 SEUBE ST	BAY ST LOUIS	MS 39520
03488	06/21/1954	NO	MASON, GILBERT RUTLEDGE, SR, MD	670 DIVISION ST	BLOXI	MS 39530-2214
16714	03/27/2000	NO	MASON, MARK THOMAS, MD	DEPT OF PSYCHIATRY VAMC 1030 JEFFERSON AVE.	MEMPHIS	TN 38105
14552	08/28/1995	NO	MASOOD, AHMED, MD	UNIVERSITY OF KY MED CTR DIV OF PULMONARY & CRITICAL CARE 800 ROSE ST MN-814	LEXINGTON	KY 40536
03983	06/28/1957	NO	MASSEY, SAMUEL OLIVER, JR, MD	24 BREAKERS LANE	RIDGELAND	MS 39157
03611	06/27/1955	NO	MAXEY, LOUIS THOMAS, MD	104 AZALEA DR.	LONG BEACH	MS 39560

License Issued	Disciplinary Name	Address	City	State	Zip		
15122	11/12/1986	NO	MAY, SCOTT EDMOND, MD	023 WEST G ST	ELIZABETHTON	TN	37643
10150	10/13/1983	NO	MAY, WILLIAM NEIL, MD	CHILD NEUROLOGY 777 WASHINGTON #110	MEMPHIS	TN	38105
15869	06/15/1998	NO	MCCAIN, JOHN DAVID, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
15834	05/11/1998	NO	MCCARTNEY, CHRISTOPHER ROLLAND, MD	DEPT OF MED-DIV OF ENDOCRINOLOGY UNIV OF VA HEALTH SCIENCES CENTER P.O. BOX 800746	CHARLOTTESVILLE	VA	22908
09988	07/01/1983	NO	MCCAY, MARVIN BARHAM, MD	1050 N. FLOWOOD #44	JACKSON	MS	39208
16226	02/22/1999	NO	MCGRAW, DONALD VICTOR, DO	NORTH TEXAS AFFILIATED MEDICAL GROUP JOHN PETER SMITH HOSPITAL	FT WORTH	TX	76107
03491	06/21/1954	NO	MCHENRY, GORDON SPENCER, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
03348	06/22/1953	NO	MCINTOSH, BARRY PARK, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
08632	06/07/1979	NO	MCKNIGHT, GEORGE TIPTON, MD	8334 OHARA CT.	BATON ROUGE	LA	70808
01044	06/28/1940	NO	MCLARTY, CHESTER ANDREW, MD	524 COLLEGE HILL RD	OXFORD	MS	38655
14225	01/09/1995	NO	MCLEAN, ROBERT BEATTY, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
04076	06/25/1958	NO	MCMLLON, JOSEPH BAXTER, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
15465	07/29/1997	NO	MCQUEEN, CARLTON KTRIDGE, MD	BIENVILLE MEDICAL CLINIC 11 DOCTORS DR	OCEAN SPRINGS	MS	38564
16086	10/05/1998	NO	MCQUILLEN, MICHAEL WAYNE, MD	CAMPBELL FOUNDATION ATTN: BARBARA JOYNER 901 MADSION AVE STE 500	MEMPHIS	TN	38103
10463	06/28/1984	NO	MCQUINTER, WROTEN, JR, MD	7730 GIBRALTAR TERRACE	APPLE VALLEY	MN	55124
11629	03/07/1988	NO	MCSWAIN, HAROLD MICHAEL, MD	1325 EASTMORELAND AVE STE 380	MEMPHIS	TN	38104
06440	06/07/1972	NO	MEEKS, SARA MCDAVID, MD	207 AUDUBON PT DR	BRANDON	MS	39042
11137	07/01/1986	NO	MELVIN, FRANK MICHAEL, MD	131 MCDOWELL STREET	ASHEVILLE	NC	28801
15749	03/02/1996	NO	MERRITT, MATHEW MICHAEL, MD	208 MCFARLAND CR, N	RICHMOND	VA	23249
11875	08/22/1988	NO	MIHAS, ANASTASIOS ATHANASIOS, MD	120 BROADROCK BLVD.	TUSCALOOSA	AL	35406
10587	12/20/1984	NO	MILLER, GILBERT, MD	113 CASTANO DR	HOT SPRINGS	AR	71908
10613	01/29/1985	NO	MILLER, JOHN PITTS, MD	NORTH OAKS MEDICAL CENTER 15790 MEDICAL CENTER DR P O BOX 2668	HAMMOND	LA	70404
11818	06/30/1988	NO	MINETREE, THOMAS ANDREW, MD	1110 S JACKSON HWY	SHEFFIELD	AL	35680
03493	06/21/1954	NO	MINK, PAUL EDWARD, MD	RT 2 BOX 374 E	KOSCIUSKO	MS	39090
03402	06/24/1953	NO	MINYARD, JOHN KENNEDY, JR, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
04947	06/17/1964	NO	MITCHELL, REMEDIOS SORIANOS, MD	356 CIRCLEWOOD DR	PARADISE	CA	95969
02620	06/25/1947	NO	MITCHELL, TOM HERRON, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
07689	08/09/1976	NO	MOAK, THOMAS EDWIN, MD	106 COLLIER RD STE 4050	ATLANTA	GA	30309
04395	06/22/1960	NO	MOFFITT, ELLIS MUMFORD, MD	483 ANNADALE PARKWAY	MADISON	MS	39110
14044	07/25/1994	NO	MONGER, RALPH HORACE, JR., MD	BAPTIST MEMORIAL HOSPITAL-DESOTO 7601 S CREST PKWY	SOUTHAVEN	MS	38671
80161	09/13/1999	NO	MOON, CHRISTOPHER AUSTIN, DPM	FOOT CLINIC OF TUPELO 1018 N GLOSTER	TUPELO	MS	38801
02757	06/30/1948	NO	MOORE, BUJIF ODELL, MD	1207 CONCORD	AMORY	MS	38821
04219	06/24/1959	NO	MOORE, PAUL HAROLD, MD	SINGING RIVER HOSPITAL 2809 DENNY AVE	PASCAGOULA	MS	39567
11060	07/01/1986	NO	MORGAN, JAN SHAFER, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
16093	10/12/1988	NO	MORRIS, DONALD CLINTON, JR, MD	1031 BLUEBELL RD	KERRVILLE	TX	78028
16954	09/25/2000	NO	MORTON, EARLE EDWARD, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
15670	11/17/1997	NO	MOSKAL, MICHAEL J, MD	720 ROLLING CREEK DR, STE. 101	NEW ALBANY	IN	47150
03616	06/27/1955	NO	MOSS, ALTON FARRIS, MD	1203 AVE B	ELLISVILLE	MS	39437
11398	07/01/1987	NO	MOULDS, JAMES PATRICK, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
07682	08/09/1976	NO	MYERS, HENRY LEE, JR, MD	KING'S DAUGHTERS' HOSPITAL 823 GRAND AVE	YAZOO CITY	MS	39196
04403	06/22/1980	NO	NELSON, ANDREW PRYOR, MD	5590 BUDDY JONES RD P O BOX 5288	SOUTH FULTON	TN	38257
14015	07/11/1994	NO	NEWMAN, JOHN BENJAMIN, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
08781	08/07/1979	NO	NEWSOM, MARCIA KILGORE, MD	125 FIELDS DR P O BOX 326	ONEIDA	NY	13421
18868	07/17/2000	NO	NGUYEN, BENJAMIN NGOCQUANG, MD	MMRC 1350 E WOODROW WILSON	JACKSON	MS	39216
10233	06/25/1984	NO	NIAMATALI, GORDON R, MD	1101 ZINNIA ST	MCALLEN	TX	78504
03404	06/24/1953	NO	NICHOLS, HOWARD HUNTER, MD	2421 HIDEAWAY PLACE	JACKSON	MS	39211
12870	07/01/1991	NO	NICHOLS, MICHELLE L, MD	DEPT OF FAMILY MEDICINE MOREHOUSE SCHOOL OF MEDICINE 505 FAIRBURN RD SW STE 100	ATLANTA	GA	30331
10657	05/20/1985	NO	NOELL, KARL THOMAS, MD	917 GENERAL MOUTON AVE	LAFAYETTE	LA	70501
16233	03/01/1999	NO	NOOJIN, FRANK KENNETH, III, MD	HILLCREST ORTHOPEDICS 741 S E MAIN ST	SIMPSONVILLE	SC	29605
06129	12/03/1970	NO	NORMAN, JOE ROBERT, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
10896	10/01/1985	YES	NORRIS, DALE WAYNE, MD	HOLLY SPRINGS MEMORIAL HOSPITAL 1430 E SALEM	HOLLY SPRINGS	MS	38835
11762	07/01/1988	NO	NORTON, BENNETTE EDWARD, III, MD	HOLSTON MEDICAL GROUP ROSS CARTER BLVD	DUFFIELD	VA	24244

License	Issued	Disciplinary	Name	Address	City	State	Zip
16303	05/03/1999	NO	NORTON, THOMAS CHADWICK, MD	EYE CENTER OF NATCHEZ 10 VISION LANE	NATCHEZ	MS	39120
02992	06/22/1950	NO	O'GRADY, JOSEPH ALBERT, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
16763	05/15/2000	NO	O'HARA, WALTER WALDO, JR., MD	UNIVERSITY MS MEDICAL CENTER 2500 NORTH STATE ST DIVISION CARDIOTHORACIC SURGERY	JACKSON	MS	39216
02403	06/27/1945	NO	O'NEAL, ROBERT MUNGER, MD	1910 KING BEE RD	PERKINSTON	MS	39573
08955	02/12/1980	NO	O'QUINN, SILAS EDGAR, MD	918 W BERTONA ST	SEATTLE	WA	98119-1414
17161	04/16/2001	NO	OBUKHOV, SERGEI, MD	GULF COAST NEUROSURGICAL INST 147 REYNOIR ST STE 203	BILOXI	MS	39630
12208	12/12/1974	NO	OLDS, TED W, MD	ST MARY'S/DUTCH CLINIC HEALTH SVS 400 E 3RD ST	DULUTH	MN	55805
07147	07/01/1969	NO	OLIVO, MARCIANO TAUSON, JR, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
15200	02/10/1967	NO	OLMEDO, MARGARET LORRAINE, MD	MS SPORTS MED & ORTHOPAEDICS 1325 FORTIFICATION ST	JACKSON	MS	39202
15039	09/03/1966	NO	ONEDERA, HELEN LOUISE REYES, MD	SYCAMORE SHORES ANESTHESIA ASSOCIATES 922 WEST "G" STREET	ELIZABETH	TN	37844
11293	03/17/1987	NO	ORLEANS, FREDRICK STEVEN, MD	1129 OCEAN SPRINGS RD.	OCEAN SPRINGS	MS	39564
16231	03/01/1999	NO	OTTO, LAURIE ANN, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
11445	05/19/1987	NO	PACKER, LOUAN WINDHAM, MD	HYPERBARIC OXYGEN, INC. 11550 IH 10 W, STE.295	SAN ANTONIO	TX	78230
03771	06/27/1956	NO	PAGE, MATTHEW J, MD	238 N FLORIDA ST	GREENVILLE	MS	38701
17433	11/05/2001	NO	PARIKH, SNEHAL VIPINCHANDRA, MD	LIFE SERVICES PROFESSIONAL CORP 1015 N SHELBY ST	GARY	IN	46403
15947	07/27/1998	NO	PARISH, KEITH BERNARD, MD	LAKE AFTER HOURS 11055 SHOE CREEK DR.	BATON ROUGE	LA	70818
03929	06/26/1957	NO	PARKER, JOHN M., MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
13779	03/21/1994	NO	PATEL, BHAVDIPKUMAR G., MD	PULMONARY, CRITICAL CARE MEDICINE & SLEEP DISORDERS 1101 OCILLA ROAD	DOUGLAS	GA	31533
18052	08/31/1998	NO	PATEL, PRAFUL B, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
02688	12/15/1947	NO	PEARSON, WILLIAM WALLACE, SR, MD	5 WAVERLY WALK	HATTIESBURG	MS	39402
04902	06/19/1963	NO	PERRY, ALTON RHODES, JR, MD	RT 1 BOX 894	INGLESIDE	TX	78362
09321	03/09/1981	NO	PERRY, GEORGE AUGUSTUS, JR., MD	17086 W MAIN ST	GALLIANO	LA	70354
07840	01/31/1977	NO	PERRY, LARRY STEVEN, MD	2116 MARYLAND AVE	BALTIMORE	MD	21218
11886	09/05/1968	NO	PETERS, MARGARET POLK, MD	APT 222 2615 CAR JONES	HUNTSVILLE	AL	35802
15335	06/09/1997	NO	PETERSON, ROBERT KAY, MD	2031 ANDERSON RD STE A	DAVIS	CA	95618
10917	11/19/1985	NO	PEVEY, WILLARD JOEL, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
08161	02/02/1978	NO	PHAM, TUAN QUANG, MD	1961 MCCOLLUM ST	LOS ANGELES	CA	90026
07793	11/19/1976	NO	PHILLIPS, WILLIAM EARL, MD	3049 E GLENGARRY RD	MEMPHIS	TN	38128
03083	06/20/1951	NO	PICKLE, ARTHUR COLEMAN, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
05194	06/18/1965	NO	PIERCE, PATRICK LOUIS, MD	5535 GATES AVE	LONG BEACH	MS	39560
16991	10/30/2000	NO	POFFENBARGER, GLEN JEFFREY, MD	BROOKE ARMY MED CNTR 3851 ROGER BROOKE DR	FT SAM HOUSTON	TX	78234-6219
15127	11/18/1996	NO	PORET, HARVEY ANDREW, III, MD	6005 PARK AVE STE 329 B	MEMPHIS	TN	38119
06020	06/12/1970	NO	POTNIS, KRISHNARAO SHRINIVAS, MD	181 HIBBARD ST STE 202	PIKEVILLE	KY	41501
02127	06/26/1942	NO	POWELL, ALBERT DAVID, SR, MD	P O BOX 1003	COLDWATER	MS	38618
13202	07/01/1992	NO	POWELL, MARGARET O, MD	350 W. WOODROW WILSON	JACKSON	MS	39213
10553	09/24/1984	NO	PRESTON, ADRIENNE JUDITH, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
03429	12/07/1953	NO	PREVOST, ROBERT WARD, JR, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
60110	09/01/1992	YES	PRICE, MELVIN BERNARD, DPM	NO PRIMARY PRACTICE ADDRESS ON FILE.			
08831	06/06/1979	NO	PRINGLE, DONALD FRANKLIN, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
07586	06/29/1976	NO	PURHIT, SURENDRA KUMAR, MD	11 WHIPPOORWILL DR	COVINGTON	LA	70433
80040	02/01/1974	NO	PURTZER, DEAN DAVIS, DPM	55 WILLOWBROOK LANE	BRANDON	MS	39042-2149
02374	12/23/1944	NO	PURVIS, GEORGE DEWEY, JR, MD	217 EASTBROOKE ST.11	JACKSON	MS	39216-4716
03089	06/20/1951	NO	PURYEAR, LANAR, JR, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
11201	09/10/1988	NO	QUILLEN, TIMOTHY JOSEPH, MD	394 SINGLETON RIDGE RD P O BOX 1609	CONWAY	SC	29526
05834	06/11/1969	NO	RADLER, WILFRED JOSEPH, JR, MD	3636 STOCKTON HILL RD STE A	KINGMAN	AZ	86401
18577	10/11/1999	NO	RAGULA, DIANNA ANDREA, MD	DEPT OF RADIOLOGY UNIV OF SO ALA MED CNTR 1831 FILLINGAM ST	MOBILE	AL	36688
80123	03/27/1995	NO	RAIS, MATTIE BERNICE, DPM	RT 3 BOX 133	LEXINGTON	MS	39095
10319	07/01/1984	NO	RALSTON, MICHAEL DEAN, MD	531 CARYSBROOK COVE	MEMPHIS	TN	38120
07153	12/12/1974	NO	RANDALL, CHARLES CHANDLER, MD	121 ASHCOT CIR	JACKSON	MS	39211
06668	06/15/1973	NO	RANKIN, GERALD MINSKY, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
03661	06/29/1955	NO	RAULSTON, WILLIAM RUSSELL, MD	415 S 28TH AVE	HATTIESBURG	MS	39401
15650	10/20/1997	NO	RAY, CLINTON MICHAEL, MD	CAMPBELL FOUNDATION ATTN BARBARA JOYNER 910 MADISON AVE STE 500	MEMPHIS	TN	38103
08921	12/21/1979	NO	REAGAN, MORRIS TRAWICK, MD	RETIRED		MS	39236

License	Issued	Disciplinary	Name	Address	City	State	Zip
02729	06/28/1948	NO	REED, ALFRED PALMER, MD	6200 WILSHIRE BLVD STE 1208	LOS ANGELES	CA	90048
16980	10/23/2000	NO	REEVES, STEVEN J, DO	9204 KING PALM DR	TAMPA	FL	33619
15873	06/16/1998	NO	RENZEMA, RONALD SCOTT, MD	ST ANTHONY'S MEDICAL CENTER DEPT. OF ANESTHESIA 10010 KENNERLY ROAD	ST. LOUIS	MO	63128
09229	08/22/1980	NO	REYNOLDS, GARY LYNN, MD	7431 UNBRIDLE WAY #101	CORDOVA	TN	38018
03778	06/27/1956	NO	RHYMES, PETE HOLDEN, MD	503 CENTRAL AVE.	HOUMA	LA	70364
16653	01/31/2000	NO	RICHLI, WILLIAM RUDOLPH, MD	MID-SOUTH IMAGING & THERAPEUTICS 6305 HUMPHREYS BLVD STE 205	MEMPHIS	TN	38120
06767	08/08/1973	NO	RICKS, PHILLIP MORGAN, MD	PHYSICIANS PLAZA STE 200 988 OAK RIDGE TURNPIKE	OAK RIDGE	TN	37830
03777	06/27/1956	NO	RIECKEN, WILLIAM EMIL, JR, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
09652	07/01/1982	NO	RIGBY, CARL SWAYZE, MD	7777 HENNESSY BLVD STE 108	BATON ROUGE	LA	70808
02764	06/30/1948	NO	RILEY, WILLIAM GAIL, MD	4518 POPLAR SPRINGS DR	MERIDIAN	MS	39305
11153	07/29/1986	NO	ROBBINS, EDWARD T, MD	6027 WALNUT GROVE RD STE 203	MEMPHIS	TN	38120
03230	06/25/1952	NO	ROBINSON, HERBERT HOUSTON, MD	803 WESTWOOD ST	PASCAGOULA	MS	39567
05149	06/18/1965	NO	ROBINSON, JOHN WARREN, MD	1290 CRESTVIEW	MERIDIAN	MS	39301
04095	06/25/1958	NO	ROBINSON, MCWILLIE MITCHELL, JR, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
05394	12/08/1966	NO	ROBINSON, OLIVER GORDON, JR, MD	2022 BROOKWOOD MED CTR DR #211	BIRMINGHAM	AL	35209
05151	06/18/1965	NO	ROBY, MILTON LAFAYETTE, MD	36 WOODLAND FARM RD	NATCHEZ	MS	39120
08154	01/23/1978	NO	RODRIGUEZ, REYNALDO, MD	2625 CLIFFORD DR	HARLINGEN	TX	78550
11933	11/14/1988	NO	ROMANO, CAROLE COLGATE, MD	9717 DART ST	RIVER RIDGE	LA	70123
16779	05/22/2000	NO	ROOK, RONALD THOMAS, DO	MISSISSIPPI SPORTS MEDICINE 1325 E FORTIFICATION	JACKSON	MS	39202
04412	06/22/1960	NO	ROPER, ROBERT ROLLIN, SR, MD	404 MATZEK DR	BIRMINGHAM	AL	35226
15312	05/19/1997	NO	ROSEN, CARL HARVEY, MD	103-3 WOODLAND DR	BATESVILLE	MS	38806
03941	06/26/1957	NO	ROSS, THEOPHILUS ERSKINE, III, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
01052	06/28/1940	NO	ROYALS, JAMES LEE, MD	253 EASTBROOKE	JACKSON	MS	39218
18547	09/13/1999	NO	RUIZ, CARLOS ALBERTO, MD	MEMORIAL HOSPITAL 4500 THIRTEENTH ST PO BOX 1810	GULFPORT	MS	39502
11773	07/01/1988	NO	RUSSELL, DEBORAH SHARP, MD	6222 HIGHLAND RD.	BATON ROUGE	LA	70808
04715	06/20/1962	NO	RUSSELL, JOHN FRANCIS, MD	44 SHENANDOAH RIVER DR	BROWNSVILLE	TX	78520
03944	06/26/1957	NO	RYAN, NELL JOYCE, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
16072	09/21/1998	NO	RYDELL, TIMOTHY PATRICK, MD	DEPT. OF THE AIR FORCE 1ST MEDICAL GROUP	LANGLEY AFB	VA	23665
13559	07/01/1993	NO	SABHARWAL, VIPAL KUMAR, MD	CARDIOVASCULAR ASSOCIATES OF VA 5875 BREMO RD.	RICHMOND	VA	23228
15997	07/30/1998	NO	SAMUDRALA, SREEDHAR, MD	DEPT OF FAMILY MEDICINE UMC 2500 N STATE ST	JACKSON	MS	39216
14685	01/08/1996	NO	SAMY, SHAHID, MD	MADISON COUNTY MEDICAL CTR HWY 16 E	CANTON	MS	39046
13440	05/03/1993	NO	SANDERS, WALTER OLIVER, JR, MD	370-A GATEWAY DRIVE	SLIDELL	LA	70461
15635	10/13/1997	NO	SANTIAGO, VICENTE ALBANO, III, MD	120 HWY 6W	BATESVILLE	MS	38606
08541	01/04/1979	YES	SAVAGE, PATRICK JOSEPH, MD	311 EAST MATTHEWS	JONESBORO	AR	72401
15927	07/07/1996	NO	SCHAAN, JARED ALLAN, MD	DEPT OF EMERGENCY MEDICINE UMC 2500 N STATE ST	JACKSON	MS	39216
06080	05/12/1970	NO	SCHACHTER, MICHAEL BEN, MD	TWO EXECUTIVE BLVD STE 202	SUFFERN	NY	10901
14214	12/19/1994	NO	SCHAFER, FREDERICK MARVIN, MD	ALLERGY & ASTHMA CENTER 1487 HIGHWAY ONE SOUTH	GREENVILLE	MS	38701
10790	07/01/1985	NO	SCOTT, AUBREY LEROY, JR, MD	126 CLINIC DR	DOTHAN	AL	36303
11953	11/28/1988	NO	SEGAL, ROBERT HENRY, MD	THE NEUROLOGY CLINIC PC 80 HUMPHREYS CTR STE 320	MEMPHIS	TN	38120
14458	07/10/1995	NO	SEYMOUR, MORRIS BURTON, JR., MD	THE OTHOPAEDIC CENTER, P.C. 725 MADISON ST	HUNTSVILLE	AL	35801
15613	09/22/1997	YES	SFORZINI, MICHAEL JOHN, MD	KNOLLWOOD PHYSICIAN'S GROUP UNIVERSITY OF SO ALABAMA 3301 KNOLLWOOD DR BLDG D	MOBILE	AL	36693-7003
03272	06/25/1952	NO	SHANDS, WILBOURN COUPERY, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
17272	06/25/2001	NO	SHEEHAN, JOHN JOSEPH, JR, MD	3510 MEDICAL PARK DR STE 2	MONROE	LA	71203
13870	06/20/1994	YES	SHEFTALL, REID GAILLARD, MD	305 E CENTRAL AVE	WIGGINS	MS	39577
12943	08/05/1991	NO	SHERARD, REGINALD KEITH, MD	1030 RIVER OAKS DRIVE	JACKSON	MS	39208
08249	06/15/1978	NO	SHETTLES, LANDRUM BREWER, MD	2209 PARDEE PL	LAS VEGAS	NV	89104-3424
05719	06/21/1968	NO	SHIELDS, JOSEPH DUNBAR, III, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
02832	06/21/1949	NO	SHOEMAKER, KENNETH EUGENE, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
09895	04/22/1983	NO	SIMPSON, CHARLES EUGENE, DO	BAY AREA MEDICAL CENTER 1510 MAIN STREET	MARINETTE	WI	54143
09882	04/04/1983	NO	SKAGERBERG, DAVID GEORGE, MD	518 S BEACH BLVD	WAVELAND	MS	39576
06574	06/15/1973	NO	SMALL, TOLBERT JONES, MD	819 FOOTHILL BLVD	OAKLAND	CA	94606
03434	12/07/1953	NO	SMITH, CLYDE, MD	1240 AULEPE ST	KAILUA	HI	96734
02408	06/27/1945	NO	SMITH, ETHELYN, MD	302 COLLEGE ST	SENATOBIA	MS	38688

License	Issued	Disciplinary	Name	Address	City	State	Zip
05537	06/07/1987	NO	SMITH, JOHN LARRY, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
14562	09/11/1995	NO	SMITH, JOSEPH KEVIN, MD	UNIVERSITY HOSPITAL	BIRMINGHAM	AL	35249
04527	12/04/1961	NO	SMITH, VERNON ILLINGWORTH, MD	6235 VENUS AVE	MEMPHIS	TN	38134
07716	08/03/1978	YES	SMOOT, JOHN MEDLEY, MD	EAST OAKS SHOPPING CENTER 564 HWY 6 E P O BOX 233	BATESVILLE	MS	38806
16899	07/17/2000	NO	SNODDY, BRIAN DAVID, MD	CARDIOLOGY ASSOCIATES #A-2 499 GLOSTER CREEK VILLAGE	TUPELO	MS	38801
04885	06/19/1963	NO	SNYDER, DOWEN ERVIN, MD	1385 S GERMANTOWN RD	GERMANTOWN	TN	38138
16544	09/13/1999	NO	SODD, ANTHONY NEWMAN, MD	GOLDEN TRIANGLE RADIOLOGY 2003 OLD ABERDEEN RD	COLUMBUS	MS	39705
08274	07/14/1978	NO	SOLOMON, ALEXANDRE, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
13757	02/07/1994	NO	SOUED, MOUNZER, MD	GI ASSOCIATES 1717 NORTH E. ST.	PENSACOLA	FL	32504
17470	12/17/2001	NO	SPIRO, DAVID MARK, MD	CHILDREN'S HOSPITAL 1600 - 7TH AVE S	BIRMINGHAM	AL	35244
13435	04/05/1993	NO	SPONGBERG, ANDREW KENT, MD	35 ARNOLD ST	NEW BEDFORD	MA	02740
09044	07/10/1980	NO	SPRABERY, DONALD LEE, DO	NO PRIMARY PRACTICE ADDRESS ON FILE.			
07545	05/10/1976	NO	SPRINGER, JOSEPH G, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
14720	02/26/1996	NO	STALLWORTH, JOHN PARK, MD	2410 CRAIG COVE RD	KNOXVILLE	TN	37919
16981	10/23/2000	NO	STAMPER, JAMES J, MD	THE SUTHERLAND CLINIC 1325 EASTMORELAND AVE STE 480	MEMPHIS	TN	38104
12158	07/01/1989	NO	STANEK, KAREN ANN, MD	715 S COWLEY STE 226	SPOKANE	WA	99202
04472	12/05/1980	NO	STANLEY, THOMAS VALENTINE, JR, MD	5438 SHADY GROVE RD	MEMPHIS	TN	38120-2404
12014	02/27/1989	NO	STEIN, LEE STUART, MD	THE NEUROLOGY CLINIC PC 80 HUMPHREYS CENTER SUITE 320	MEMPHIS	TN	38120
03696	12/05/1985	NO	STEINER, ALBIN HENRY, MD	77 CR 618	CORINTH	MS	38834
03238	06/25/1992	NO	STEPHENS, JAMES OTIS, MD	629 1ST AVE NW P O BOX 545	MAGEE	MS	39111
03790	06/27/1986	NO	STEWART, RAY HAROLD, MD	HARRISON COUNTY DEPT OF HEALTH 4521 OLD PASS RD	GULFPORT	MS	39501
03098	06/20/1951	NO	STRIBLING, LOUIRELL, MD	411 N JORDON	CARTHAGE	MS	39051
07478	11/19/1975	NO	STRIBLING, JOHN ROBERT, III, MD	3400-C OLD MILTON PKWY SUITE 345	ALPHARETTA	GA	30005
15907	07/07/1998	NO	STUBBS, MALCOLM JAY, MD	DEPARTMENT OF ORTHOPAEDICS KEESLER MEDICAL CENTER	KEESLER AFB	MS	39534
10445	07/01/1984	NO	STUDDARD, HARRY E. II, MD	100 MEMORIAL HOSPITAL DR. SUITE 3A	MOBILE	AL	36608
02694	12/15/1947	NO	SUARES, JOHN COVINGTON, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
15029	09/03/1996	NO	SWARZENSKI, BARBARA CHRISTINA, MD	CONTRA COSTA MENTAL HEALTH CHILDREN'S SERVICES 1026 OAK GROVE RD STE 11	CONCORD	CA	94518
15157	12/16/1996	NO	SZABO, TIBOR SANDOR, MD	BLUEGRASS RADIOLOGY ASSOC PSC CARITAS MEDICAL PLAZA II STE 103 1900 BLUEGRASS AVE	LOUISVILLE	KY	40215
15634	10/13/1997	NO	TABLIZO, MARY ANNE ARCILLA, MD	155 KEATING RD	BATESVILLE	MS	38606
11936	11/15/1988	NO	TABOR, OWEN BRITT, MD	6005 PARK AVE #608	MEMPHIS	TN	38117
15098	10/28/1996	NO	TABORA, CAMILO BERNAL, JR, MD	3009 WEST CHARLESTON BLVD	LAS VEGAS	NV	87102
02629	06/25/1947	NO	TALKINGTON, THOMAS WALTON, JR, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
03850	01/09/1957	NO	TANNEHILL, ANTONE WALTER, JR, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
07723	08/09/1978	NO	TATE, LARRY GRADY, MD	168 BAYVIEW DR	ISLAMORADA	FL	33036
03370	08/22/1983	NO	TAYLOR, ROBERT DEAN, MD	2115 ROCKWOOD CIRCLE	BRYAN	TX	77807-2714
10446	07/01/1984	NO	TAYLOR, TERRY WAYNE, MD	5580 INN RD., STE. B	MOBILE	AL	36619
04424	08/22/1980	NO	TAYLOR, WALTER TRAVIS, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
03240	08/25/1952	NO	TAYLOR, WILLIAM KELLY, MD	2302 NAPOLEON AVE	NEW ORLEANS	LA	70115
16296	05/03/1999	NO	TAYLOR, WILLIAM NATHANIEL, JR, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
03956	06/26/1957	NO	TERRY, JOE WALTER, JR, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
10950	02/08/1986	NO	THEROUX, MARC ANDRE, MD	534 PROSPECT ST.	FALL RIVER	MA	02720
13963	07/01/1994	NO	THIGPEN, RHONDA ELATRA, MD	OCHSNER CLINIC OF BATON ROUGE 9001 SUMMA AVE	BATON ROUGE	LA	70809
02834	08/21/1949	YES	THOMAS, EUGENE JOSEPH, MD	5271 HARROW DR	JACKSON	MS	39211-4804
02490	06/19/1946	NO	THOMAS, WILBUR ADJOISON, MD	8 LOCUST LANE	LOUDONVILLE	NY	12211
12160	07/01/1989	NO	THOMPSON, ANNE SWEAT, MD	BLUFF CITY MEDICAL CENTER 229 HWY 19-E	BLUFF CITY	TN	37618
17407	10/08/2001	NO	THOMPSON, MARK ALAN, MD	RADIATION ONCOLOGISTS OF MS ST DOMINIC HOSPITAL 969 LAKELAND DR	JACKSON	MS	39216
03958	08/26/1957	NO	THOMPSON, ROBERT LOWERY, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
16782	05/22/2000	NO	THOMPSON, WILLIAM EUGENE, MD	UNIVERSITY RADIOLOGY ASSOC PLLC 2500 N STATE ST	JACKSON	MS	39216
09557	04/22/1982	NO	THURMAN, FRANCIS WAYNE, MD	5502 FIESTA DR	MEMPHIS	TN	38120
11297	03/23/1987	NO	TILTON, FRANK MCVEY, SR, MD	876 MISSISSIPPI ST	GREENVILLE	MS	38701
08056	08/08/1977	NO	TINSLEY, PAUL PLEZ, JR, MD	2329 N TRIPHAMMER RD	ITHACA	NY	14850-1011
03412	06/24/1953	NO	TISDALE, WILLIAM APPLETON, MD	1195 BAYVIEW	BILOXI	MS	39530

License	Issued	Disciplinary	Name	Address	City	State	Zip
15633	10/13/1997	NO	TODD, LA CUYETUNIA SEABURY, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
16741	05/01/2000	NO	TOLAN, STEFAN JOHN, MD	MISSISSIPPI SPORTS MEDICINE 1325 E. FORTIFICATION ST.	JACKSON	MS	38202
07062	08/09/1974	NO	TOLER, MERTON CAUSEY, JR., MD	PRINCETON COMM HOSP 12TH ST	PRINCETON	TX	77082
13798	04/29/1994	NO	TRAN, MICHAEL HUNG, MD	WEST HOUSTON MEDICAL CENTER 12141 RICHMOND AVE DEPT OF RADIOLOGY	HOUSTON	TX	75503
07275	08/01/1975	NO	TRONE, TIMOTHY HOWARD, MD	4214 TEXAS BLVD	TEXARKANA	TX	75503
16888	07/31/2000	NO	TURNER, JOHN DAVID, MD	KEESLER AFB MED CNTR 301 FISHER ST	BILLOXI	MS	39534
16430	07/19/1999	NO	TURNER, JULES, MD	GARDEN PARK PEDIATRIC CLINIC 1135 FORD AVE	GULFPORT	MS	39507
02736	08/28/1948	NO	TURNER, THOMAS CREAGHER, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
05759	12/21/1968	NO	TURNER, THOMAS MURRAY, MD	1169 ANGELO DR	BEVERLY HILLS	CA	90210
17358	08/20/2001	NO	TYLER, SHANNON KELLEY, MD	DEPT OF INFECTIOUS DISEASE UMC 2600 N STATE ST	JACKSON	MS	39216
16717	03/27/2000	NO	UGBAJA, FELIX CHUKWUDI, MD	LIBERTY MEDICAL CLINIC PC 4944 COLLEGE ST.	BELLS	TN	38006
17191	05/07/2001	NO	VAN STEENKISTE, ROBERT THOMAS, DO	NO PRIMARY PRACTICE ADDRESS ON FILE.			
03825	06/27/1996	NO	VEACH, RICHARD LESTER, MD	2892 E US HWY 36	BAINBRIDGE	IN	46105
03537	06/23/1994	NO	VELLER, MARGARET PAXTON, MD	28 S CIRCLE DR	NATCHEZ	MS	39120
14291	03/20/1995	NO	VINCENT, ROBERT DEWITT, JR., MD	DEPT OF ANESTHESIOLOGY UNIV OF ALABAMA SCHOOL OF MED 920 JEFFERSON TOWERS 619 S 19TH	BIRMINGHAM	AL	35233-6810
12629	07/30/1990	NO	VITTOR, VIRGINIA JOYCE, MD	VITTOR CLINIC 67 CLEAR CREEK RD.	WIGGINS	MS	39577
04425	08/22/1960	NO	WALDEN, GERALD MARTIN, MD	PRIMARY CARE CLINIC OF RIPLEY P A 1009 CITY AVE N	RIPLEY	MS	38683
06474	08/07/1972	NO	WALLDREP, HAROLD CAYCE, JR, MD	7005 HILL FOREST DR	DALLAS	TX	75230
03373	09/22/1953	NO	WALLACE, CLINTON ELTON, MD	COST CARE INC 795 WOODLANDS PKWY STE 305	RIDGELAND	MS	39157
03437	12/07/1953	NO	WARD, DENNIS EARL, MD	282 SUMMERFIELD P.O. BOX 11175	JACKSON	TN	38308-0119
03438	12/07/1953	NO	WARD, MARY JOHNSON, MD	282 SUMMERFIELD P.O. BOX 11175	JACKSON	TN	38308-0119
00876	06/25/1937	NO	WATKINS, WILLIAM WHITFIELD, MD	3785 NORTHWOOD DR	MEMPHIS	TN	38111
13752	01/24/1994	NO	WATSON, RICHARD BALDWIN, MD	2134 E 27TH ST	YUMA	AZ	85364
03245	06/25/1952	NO	WEBSTER, HERMAN DEXTER, JR., MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
02109	08/26/1942	NO	WERKHEISER, EDWIN BROOKS, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
12064	05/15/1989	NO	WEST, LARRY KETNER, MD	PIKEVILLE RADIOLOGY PIKEVILLE MEDICAL BUILDING	PIKEVILLE	KY	41501
13350	10/01/1992	NO	WESTBROOK, LOLA ELIZABETH, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
04430	09/22/1960	NO	WHITES, DAYTON ENTREKIN, MD	COMMUNITY MEDICAL CENTER 57 DEWEY ST	LUCEDALE	MS	39452-2291
13572	07/01/1993	NO	WHITNEY, STANLEY JOSEPH, MD	TALLAHASSEE ORTHOPEDIC CLINIC 3334 CAPITAL MEDICAL BLVD STE 800	TALLAHASSEE	FL	32308
05032	06/17/1964	NO	WHITTINGTON, JOHN WILLIAM, MD	112 SEVENOAKS DR	KNOXVILLE	TN	37922
11439	07/01/1987	NO	WHITTLE, TIMOTHY EVANS, MD	#1 MEDICAL BLVD	HATTIESBURG	MS	39401
08873	12/07/1973	NO	WIGGINS, CHARLES ALFONSA, MD	1107 ACKLEN AVE	NASHVILLE	TN	39203
11327	05/12/1987	NO	WILENSKY, MICHAEL ALLEN, MD	D'SOUZA & WILKENS, APMC 200 W ESPLANADE AVE #401	KENNER	LA	70065
04118	06/25/1968	NO	WILLEY, LOYS WILLIAM, JR, MD	147 MARQUIS DR	FAYETTEVILLE	GA	30214
15637	10/13/1987	NO	WILLIAMS, AARON ORLANDO, MD	122 ST CHRISTOPHER DR	ASHLAND	KY	41101
05336	06/15/1966	NO	WILLIAMS, CHARLES OTHO, MD	1405 N STATE ST	JACKSON	MS	39202
10038	07/01/1983	NO	WILLIAMS, HOMER HERBERT, MD	1323 10TH ST	LAKE CHARLES	LA	70601
04581	06/21/1961	NO	WILLIAMS, JOHN ELLIS, MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
00950	06/24/1938	NO	WILLIAMS, JOHN WESLEY, MD	309 S DR GAMWYN PK	GREENVILLE	MS	38701
15800	04/13/1998	NO	WILLIAMS, MARK DAVID, MD	VA MEDICAL CENTER 1500 E WOODROW WILSON DR	JACKSON	MS	39216-5199
02350	10/18/1944	NO	WILLIAMS, THOMAS KENNON, JR., MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
08144	12/03/1970	NO	WILLIAMS-NEAL, ETHELYN JUANITA, MD	1331 UNION AVE STE 900	MEMPHIS	TN	38104
16955	09/25/2000	NO	WILSON, J RANDALL, MD	DR. SHEERS, AHEARN & ASSOC. 9204 KING PALM DR	TAMPA	FL	33619
10883	09/17/1985	NO	WILSON, JAMES K, MD	RANDOLPH HOSPITAL 384 WHITE OAK ST.	ASHEBORO	NC	27204
03416	08/24/1953	NO	WINN, EUSTACE HAROLD, JR., MD	336 FAIRVIEW AVE	GREENVILLE	MS	38701
17215	05/21/2001	NO	WOLTERS, WILLIAM CLAY, MD	3173 KIRBY WHITTEN RD STE 106	BARTLETT	TN	38134
15621	09/29/1997	NO	WOOD, EDMOND E, MD	335 B HIGHWAY DR	JEFFERSON	LA	70121
09259	10/14/1980	NO	WOOD, LAWRENCE, MD	PSC 559 BOX 5652	FFO	AP	96733-5652
18281	04/05/1999	NO	WOODS, DANA PHILLIP, MD	EYE ASSOCIATES OF THE SOUTH 132 LAMEUSE ST	BILLOXI	MS	39530
06273	02/11/1971	NO	WOOLDRIDGE, WILLIAM HENRY, MD	EAST TN CHILDREN'S HOSP 2018 CLINCH AVE	KNOXVILLE	TN	37918
03602	08/27/1856	NO	WOOLEY, OTIS BURTON, JR., MD	NO PRIMARY PRACTICE ADDRESS ON FILE.			
15754	03/09/1998	NO	WRIGHT, KENT STEVEN, MD	JOHNSON CITY MEDICAL CENTER 400 NORTH STATE OF FRANKLIN ROAD	JOHNSON CITY	TN	37604
02135	06/26/1942	NO	WRIGHT, LEONARD DAVIDSON, SR., MD	3535 KIRBY RD APT N 302	MEMPHIS	TN	38115

License	Issued	Disciplinary	Name	Address	City	State	Zip
15879	11/24/1997	NO	YATES, ROBERT LOUIS, MD	UNIVERISTY OF TENNESSEE 853 JEFFERSON ROOM E102	MEMPHIS	TN	38103
80158	07/19/1999	NO	YOUNG, ELLISA LUCILLE, DPM	1425 W ERIE AVE	PHILADELPHIA	PA	19140
10075	07/06/1983	NO	ZEPERNICK, RICHARD GUSTAV, MD	401 WHITNEY AVE STE 405	GRETNA	LA	70056
02640	06/25/1947	NO	ZUBOWIEZ, GEORGE, MD	PASTORAL INSTITUTE 2022 15TH AVE	COLUMBUS	GA	31901-1699

I certify that the names appearing on this list have renewed their Mississippi license for the period July 1, 2001 thru June 30, 2002.

EXECUTIVE DIRECTOR

Total number of physicians : 633

STATE OF MISSISSIPPI

COUNTY OF HINDS

**INTERAGENCY AGREEMENT TO PROVIDE LEGAL SERVICES
TO THE MISSISSIPPI BOARD OF MEDICAL LICENSURE**

This document is an Interagency Agreement between the Mississippi Board of Medical Licensure and the Office of the Attorney General (herein referred to as OAG) for the provision of legal services to said agency under the terms and provisions set forth below:

A. STATEMENT OF WORK

OAG shall perform legal services as shall be requested by the Mississippi Board of Medical Licensure. To perform such legal services OAG shall designate an attorney or attorneys whom the Mississippi Board of Medical Licensure may call upon as necessary. The Attorney(s) shall perform such required legal services under the direction of OAG in coordination and cooperation with the Mississippi Board of Medical Licensure. Clerical support, equipment and appropriate office space shall be provided by OAG. The OAG shall provide back up legal services to the Mississippi Board of Medical Licensure whenever the designated attorney(s) are not available to provide the necessary services.

B. PERIOD OF PERFORMANCE

The period of performance of this Interagency Agreement will begin on July 1, 2002, and shall end on June 30, 2003.

C. CONSIDERATION AND PAYMENT

As consideration for the performance of this Interagency Agreement, the Mississippi Board of Medical Licensure agrees to pay OAG \$55.00 per hour for the accomplished legal services. The OAG shall provide monthly statements to the Mississippi Board of Medical Licensure identifying in reasonable detail legal services performed and the attorney(s) who performed such services. The Mississippi Board of Medical Licensure shall provide payment for the services within thirty (30) days of the invoice date.

If the performance of such legal services shall require travel or other expenditures (e.g., court costs, long distance calls, etc.) by the designated

attorney(s), the Mississippi Board of Medical Licensure shall provide reimbursement or payment for such expenses through its normal travel or purchasing policies and procedures. Other necessary expenditures such as extraordinary telephone expenditures, computerized legal research, court costs etc., shall be itemized on the monthly invoice and submitted to the agency for payment with the monthly billing.

D. TERMINATION OF CONTRACT

Either party may terminate this Interagency Agreement by providing written notice to the other party thirty (30) days prior to the desired termination date and paying all outstanding obligations when due.

WITNESS THE SIGNATURES OF THE PARTIES, on this the 18th day of

July 2002.

**MISSISSIPPI BOARD OF MEDICAL
LICENSURE**

Calvin R. Smith
BY:

OFFICE OF THE ATTORNEY GENERAL

Mike Moore
**MIKE MOORE, ATTORNEY GENERAL
STATE OF MISSISSIPPI**

SEPTEMBER 2002

**MINUTES
EXECUTIVE COMMITTEE MEETING
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
SEPTEMBER 18, 2002**

MEMBERS PRESENT:

Robert Ray Smith, M.D., Jackson, President
Dewitt G. Crawford, M.D., Louisville, Vice President
William B. Harper, D.O., Greenwood, Secretary
W. Joseph Burnett, M.D., Director

ALSO PRESENT:

Stan T. Ingram, Attorney for the Board
Heather Wagner, Special Assistant Attorney General
Charles Moses, Division Director II, Investigative Division
Rhonda Freeman, Division Director II, Licensure Division
Kathy Fortenberry, Administrative Assistant
Frances Scott, Special Projects Officer, Investigative Division

The Executive Committee of the Mississippi State Board of Medical Licensure met on Wednesday, September 18, 2002, at 4:00 p.m. in the Executive Conference Room of the Office of the Board located at 1867 Crane Ridge Drive, Jackson, Mississippi.

REVISIT EXISTING *SUPERVISION OF NURSE PRACTITIONERS REGULATIONS*

Dr. Burnett reported on meeting earlier in the week with Delia Owens, Executive Director, Mississippi Board of Nursing, regarding the nurse practitioner regulations. Mrs. Owens and Betty Dickson, Executive Director, Mississippi Nurses' Association, joined the meeting and voiced some of their concerns with the nurse practitioner regulations.

Mrs. Owens also stated she felt the Board was not given all the information and history of the dialysis technicians. Dr. Burnett advised that this would be addressed later.

After Mrs. Owens and Mrs. Dickson left the meeting, the Executive Committee discussed possible changes to the nurse practitioner regulations. These changes will be referred to the MBON/MSBML Joint Issues Committee.

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September 18, 2002

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**PERSONAL APPEARANCE BY VAN LEMUEL LACKEY, M.D., JACKSON,
MISSISSIPPI MEDICAL LICENSE NUMBER 06430**

Dr. Burnett advised the Executive Committee that Dr. Lackey's attorney, Edmund L. Brunini, Jr., Esq., Jackson, could not attend the meeting and, therefore, Dr. Lackey would not be meeting with them. After discussion, it was the consensus of the Executive Committee to refer Dr. Lackey to the Examining Committee.

**ALLEN THOMAS JACKSON, M.D., APPLICANT
ANWER M. SIDDIQI, M.D., APPLICANT
EVAN JON PICKUS, M.D., APPLICANT**

Dr. Burnett presented requests from the three applicants for an exception to the seven-year rule for passing all three steps of USMLE. He stated that each individual case warranted an exception. Motion was made by Dr. Crawford and seconded by Dr. Harper to waive the regulation under these limited circumstances and allow Dr. Jackson, Dr. Siddiqi, and Dr. Pickus to proceed with licensure.

Dr. Burnett introduced Dr. Jackson, who had asked to be present in case the Executive Committee members had any questions. He executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

Mr. Ingram recommended that a change be made to this regulation to allow for changes on a case by case basis.

**PERSONAL APPEARANCE BY MICHAEL EDWARD STEUER, M.D., SOUTHAVEN,
MISSISSIPPI MEDICAL LICENSE NUMBER 15385, TO REQUEST REMOVAL OF
RESTRICTIONS**

Dr. Burnett briefly reviewed Dr. Steuer's background and history leading to the disciplinary action taken on his medical license, which was based on action taken by the Medical Board of California.

Dr. Steuer joined the meeting but was not represented by legal counsel. He executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference. Also present was his wife.

EXECUTIVE COMMITTEE MINUTES

September 18, 2002

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Dr. Steuer presented his request for removal of all restrictions and answered questions from the Executive Committee members and Dr. Burnett. It was the consensus of the Executive Committee members to remove all restrictions. The Order of the Board is attached hereto and incorporated by reference.

PERSONAL APPEARANCE BY STEFAN SEMCHYSHYN, M.D., CHUCKEY, TENNESSEE, APPLICANT

Mr. Ingram explained that Dr. Semchyshyn had been given an opportunity to withdraw his application or either have a show-cause hearing, based on the following: disciplinary action by a licensed hospital; application by another state board was denied; and termination from a health care plan based on quality care issues. Dr. Semchyshyn had requested an informal meeting with the Executive Committee members.

Dr. Semchyshyn and his attorney, Keith Raulston, Esq., Jackson, joined the meeting. He executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

Mr. Raulston and Dr. Semchyshyn addressed the Executive Committee and answered questions as to why Dr. Semchyshyn should be issued a license. It was the consensus of the Executive Committee members to have another obstetrician review the file and give an opinion on the procedure that was in question.

HEARING IN THE MATTER OF JOHN WILBUR MCFADDEN, JR., M.D., TUPELO, MISSISSIPPI MEDICAL LICENSE NUMBER 05129

A request for a continuance was presented from Dr. McFadden's attorney, Alex Alston, Esq., Jackson. It was noted, however, that Mr. Alston's correspondence was limited to the request for continuance. The Executive Committee was advised that Mr. Alston would no longer be representing Dr. McFadden, another attorney having been retained for this purpose. Motion was made by Dr. Crawford and seconded by Dr. Harper to continue this hearing until the next Board meeting. The Order of Continuance is attached hereto and incorporated by reference.

EXECUTIVE COMMITTEE MINUTES

September 18, 2002

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HEARING IN THE MATTER OF THOMAS WEBBER GRAFTON, D.O., SOUTHAVEN, MISSISSIPPI MEDICAL LICENSE NUMBER 12613

Dr. Grafton was served with an Order of Prohibition on September 10, 2002, with a hearing scheduled for September 19, 2002. Mr. Ingram advised that Dr. Grafton's attorney, W. O. "Chet" Dillard, Esq., Jackson, had filed a motion with the Chancery Court for a Temporary Restraining Order (TRO) against the Board, which was denied. While denying the TRO, the Court postponed the hearing until a mutually agreed date and time. Motion was made by Dr. Crawford and seconded by Dr. Smith to grant a continuance until the next Board meeting. The Order of Continuance is attached hereto and incorporated by reference.

MR. INGRAM AND MRS. WAGNER EXITED THE MEETING AT 5:50 P.M.

APPROVAL OF CONSENT ORDER EXECUTED BY JOHN MEDLEY SMOOT, M.D., BATESVILLE, MISSISSIPPI MEDICAL LICENSE NUMBER 07716

Dr. Smoot was not present or represented by legal counsel. Dr. Burnett presented a Consent Order executed by Dr. Smoot, who is in violation of his previous Consent Order. Motion was made by Dr. Crawford and seconded by Dr. Harper to accept the Consent Order, a copy of which is attached hereto and incorporated by reference.

PRACTICE PLAN AND GUIDELINES FROM JOHNNY RAY BULLOCK, JR., M.D., TYLERTOWN, MISSISSIPPI MEDICAL LICENSE NUMBER 13883

Dr. Burnett presented Dr. Bullock's re-entry practice plan, which was a requirement of his July 18, 2002, Board Order. Dr. Burnett had met with Dr. Bullock on September 5, 2002, and approved the plan, which was allowed by the Board Order. It was the consensus of the Executive Committee members to accept this plan, a copy of which is attached hereto and incorporated by reference.

ROY MAXWELL BARNES, M.D., PORT GIBSON, MISSISSIPPI MEDICAL LICENSE NUMBER 03037

Mrs. Scott reviewed a chronological summary on Dr. Barnes, who was asked in August 2001 to surrender his DEA certificate. Dr. Barnes is requesting that he be allowed to reinstate this certificate. It was the consensus of the Executive Committee members to deny the request at this time but to advise him he could petition the Board again in one year.

EXECUTIVE COMMITTEE MINUTES

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PATRICK GENE MCLAIN, M.D., MERIDIAN, MISSISSIPPI MEDICAL LICENSE NUMBER 04074

Dr. Burnett presented a practice plan from Dr. McLain. It was the consensus of the Executive Committee members to deny his request to function as a back-up physician in his wife's extended care facility. More detailed information will be requested regarding his work with her weight loss program and the Weems Mental Health System. Motion was made by Dr. Crawford and seconded by Dr. Harper for Dr. Burnett to write Dr. McLain to obtain this additional information and bring back to the Executive Committee at a later date.

HAROLD JOHN WHEELER, M.D., GREENWOOD, MISSISSIPPI MEDICAL LICENSE NUMBER 10035

Dr. Burnett reported that Dr. Wheeler had been sentenced to eighteen months, beginning October 14, 2002, in federal prison for crop fraud. When a certified copy of the sentencing is received, the Investigative Division will develop a Summons and Affidavit.

REQUEST FROM RAMIRO MARTINEZ, M.D., EAST MISSISSIPPI STATE HOSPITAL, FOR LIMITED INSTITUTIONAL LICENSES

Dr. Martinez has requested Limited Institutional License applications for two physicians who previously had these licenses for over five years. According to the Board's regulations, a physician cannot hold a Limited Institutional License for more than five years. It was the consensus of the Executive Committee members to deny this request.

REPORT FROM ALTERNATIVE CREDENTIALING COMMITTEE FOR OFFICE BASED SURGERY

Dr. Burnett reviewed a report from the Alternative Credentialing Committee for Office Based Surgery concerning Steve Morris, III, M.D., Shubuta. It was the recommendation of the committee that his records be obtained and a case developed for presentation to the full Board. Dr. Burnett advised that the Investigative Division was working on this.

FINAL ADOPTION OF AMENDMENT TO *OFFICE BASED SURGERY REGULATIONS*

At the July 18, 2002, Board meeting, it was requested that the *American Association of Nurse Anesthetists' Standards for Office Based Anesthesia* and

EXECUTIVE COMMITTEE MINUTES

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American Society of Anesthesiologists' Guidelines for Office-Based Anesthesia be reviewed and compared. Dr. Ralph E. Dunn, Madison, anesthesiologist, reviewed these documents, and copies of his report were distributed. Dr. Burnett also reviewed a letter from John J. Cook, M.D., President, Mississippi State Medical Association, voicing opposition to the amendment.

Motion was made by Dr. Crawford and seconded by Dr. Harper to adopt the amendment for final filing with the Secretary of State under the Administrative Procedures Act. A copy of the amendment is attached hereto and incorporated by reference.

FINAL ADOPTION OF REGULATIONS PERTAINING TO EMERGENCY TELEMEDICINE WITHIN THE STATE

Dr. Burnett advised that this regulation had to be jointly promulgated with the Mississippi Board of Nursing. This was adopted at their August 8, 2002, meeting with the addition of the following language to **E. Reporting Requirements:**

The Board of Nursing requires, in addition to these regulations, submission of quarterly reports to the Board of Nursing and reserves the right to re-evaluate and change reporting requirements, if need be.

The regulation was filed with this addition. Motion was made by Dr. Smith and seconded by Dr. Crawford to adopt the regulation for final filing with the Secretary of State under the Administrative Procedures Act. A copy of the regulation is attached hereto and incorporated by reference.

ACGME INTERNAL MEDICINE/PEDIATRICS COMBINED PROGRAMS

Dr. Burnett reported on correspondence from ACGME advising that combined programs in Internal Medicine/Pediatrics are not accredited. Motion was made by Dr. Smith and seconded by Dr. Crawford to adopt a policy to accept these programs as accredited when both the internal medicine program and pediatrics program are independently accredited by the ACGME for training in each area. A copy of the policy statement is attached hereto and incorporated by reference.

POLICY CONCERNING USMLE STEP 3 APPLICATION AND FEES

At the July 18, 2002, Board meeting, a request for consideration in reducing the licensure fee for resident physicians seeking a permanent license was discussed. The Board did not feel like it could offer any reduction in fees; however,

EXECUTIVE COMMITTEE MINUTES

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it was decided that the residents would be given an opportunity to make application to sit for USMLE Step 3 and pay the fee within 12 months. Mrs. Freeman presented a proposed policy statement regarding this. Motion was made by Dr. Harper and seconded by Dr. Crawford to adopt her proposed policy. A copy of the policy statement is attached hereto and incorporated by reference.

FEDERATION OF STATE MEDICAL BOARDS - CALL FOR NOMINATIONS AND APPOINTMENT RECOMMENDATIONS AND CALL FOR RESOLUTIONS

Correspondence from the Federation of State Medical Boards calling for nominations, appointment recommendations, and resolutions was reviewed. Dr. Burnett will check with other Board members to see if anyone is interested in their name being submitted for nomination or if there are resolutions to be presented.

TRAVEL BY STAFF MEMBERS

Dr. Burnett reported on upcoming out-of-state travel for the staff, as follows:

Rhonda Freeman and Regina Lyle, September 25 - 28, 2002, **Administrators in Medicine Licensing, Technology and Profiles Workshops**, Columbus, Ohio;

Charles Moses, Neil Breland, Thomas Washington, Harry Gunter, Angela Lee, Robert Luke, and Chuck Ware, October 2 - 4, 2002, **Board Investigator Workshop**, New Orleans, Louisiana;

Dr. Burnett and Pam Davis, October 6 - 8, 2002, **Executive Management Seminar**, Dallas, Texas;

Kathy Fortenberry, October 21 - 23, 2002, **Administrators in Medicine Fall Meeting**, New York City, New York.

Motion was made by Dr. Smith and seconded by Dr. Harper to approve this travel.

MISSISSIPPI IMPAIRED PHYSICIANS COMMITTEE RECOVERY CONTRACT AGREEMENTS

Dr. Burnett reviewed correspondence from Gary D. Carr, M.D., Medical Director, Mississippi Recovering Physicians Program, concerning physicians under contract with Mississippi Impaired Physicians Committee in a status other than the typical Recovery Contract Agreement. It was the consensus of the Executive Committee members that those on contract should always be known to the Board's Director.

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POLICY STATEMENT CONCERNING COPYING COST

Copies of a policy statement concerning copying cost were distributed and discussed. Motion was made by Dr. Crawford and seconded by Dr. Smith to adopt, a copy of which is attached hereto and incorporated by reference.

OTHER BUSINESS

The issue of dialysis technicians was revisited. Since this does not pertain to nurse practitioners, there was a question as to whether or not it would have to be jointly promulgated with the Board of Nursing. Dr. Burnett will check with Mr. Ingram on this issue.

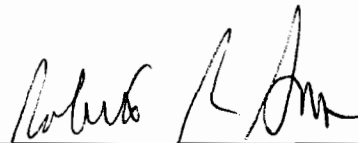
Dr. Burnett informed the Executive Committee members of Senate Bill 2007, which has been introduced in the Special Legislative Session. This bill, if passed, would require the Board to create public profiles on physicians.

Dr. Burnett advised that he had been working on a September to September basis and that he would like to continue this. Motion was made by Dr. Crawford and seconded by Dr. Smith for Dr. Burnett to continue.

Dr. Burnett presented the practice plan of Thomas M. Lehman, M.D., as required by his July 18, 2002, Consent Order. Dr. Lehman is going to work in New Zealand and needs a letter from the Board that he has a license in good standing. It was the consensus of the Executive Committee members to have Dr. Burnett write a letter that he has satisfied the requirements of his Consent Order.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:50 p.m.



Robert Ray Smith, M.D.

President

Minutes taken and transcribed
by Kathy Fortenberry
Administrative Assistant
September 18, 2002

AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE

I, Allen T. Jackson, have requested an opportunity to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss possible resolution of a pending disciplinary matter/investigation or to respond to a complaint duly received by the Board. It is the purpose of the informal meeting to discuss the facts of the case, to give me an opportunity to ask questions of the Committee or its staff, and to give the Committee or its staff an opportunity to ask questions of me. Because the meeting is informal, no disciplinary action will be taken without my express written consent. In so doing, I have been advised and understand the following:

1. During the meeting, the Executive Committee may or may not be represented by legal counsel. Notwithstanding, I understand that I have a right, if I so choose, to employ legal counsel and have counsel present during the informal meeting.
2. I authorize the Committee Members to review and examine any statements, documentary evidence, or materials concerning the allegations during my informal appearance.
3. Because the purpose of my appearance is to avoid a hearing before the Board, I agree that presentation to and consideration by the Committee of any facts, matters, and documents pertaining to my case shall not unfairly or illegally prejudice the Committee members from further participation or consideration in the event a formal disciplinary hearing is later conducted. Stated differently, in the event the pending matter is not resolved following my appearance before the Committee, I will not object to any of the Committee members from further participating in subsequent meetings or hearings that may be conducted in relation to this matter.
4. By signing my name in the space provided below, I hereby authorize the Executive Committee to proceed with the informal appearance, subject to the stipulations and understandings as noted above. I have elected to proceed:

with legal counsel present (name of counsel: _____)

without legal counsel present

EXECUTED, this the 18 day of September, 2002

Allen T. Jackson

Witness: _____

AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE

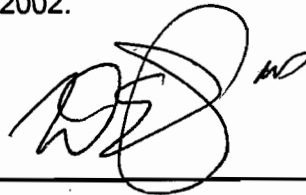
I, Michael Edward Steuer, M.D. have requested an opportunity to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss possible resolution of a pending disciplinary matter/investigation or to respond to a complaint duly received by the Board. It is the purpose of the informal meeting to discuss the facts of the case, to give me an opportunity to ask questions of the Committee or its staff, and to give the Committee or its staff an opportunity to ask questions of me. Because the meeting is informal, no disciplinary action will be taken without my express written consent. In so doing, I have been advised and understand the following:

1. During the meeting, the Executive Committee may or may not be represented by legal counsel. Notwithstanding, I understand that I have a right, if I so choose, to employ legal counsel and have counsel present during the informal meeting.
2. I authorize the Committee Members to review and examine any statements, documentary evidence, or materials concerning the allegations during my informal appearance.
3. Because the purpose of my appearance is to avoid a hearing before the Board, I agree that presentation to and consideration by the Committee of any facts, matters, and documents pertaining to my case shall not unfairly or illegally prejudice the Committee members from further participation or consideration in the event a formal disciplinary hearing is later conducted. Stated differently, in the event the pending matter is not resolved following my appearance before the Committee, I will not object to any of the Committee members from further participating in subsequent meetings or hearings that may be conducted in relation to this matter.
4. By signing my name in the space provided below, I hereby authorize the Executive Committee to proceed with the informal appearance, subject to the stipulations and understandings as noted above. I have elected to proceed:

with legal counsel present (name of counsel: _____)

without legal counsel present

EXECUTED, this the 18th day of September, 2002.



Witness: _____

**BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
IN THE MATTER OF THE PHYSICIAN'S LICENSE
OF
MICHAEL EDWARD STEUER, M.D.**

ORDER REMOVING ALL RESTRICTIONS

THIS MATTER came on regularly for consideration on September 18, 2002, before the Executive Committee of the Mississippi State Board of Medical Licensure, in response to the request of Michael Edward Steuer, M.D. (hereinafter "Licensee"), seeking removal of all restrictions on his license to practice medicine imposed by virtue of that certain Consent Order dated April 12, 2000. The Committee, after hearing said request, finds the same to be well-taken.

IT IS HEREBY ORDERED, that Licensee's request for removal of all restrictions is hereby granted. Licensee now holds an unrestricted license to practice medicine in the State of Mississippi.

IT IS FURTHER ORDERED, that pursuant to Miss. Code Ann. Sections 73-25-27 and 73-25-32 (1972), a copy of this Order shall be sent by registered mail or personally served upon Michael Edward Steuer, M.D.

ORDERED, this the 18th day of September, 2002.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY:



**ROBERT RAY SMITH, M.D.
PRESIDENT**

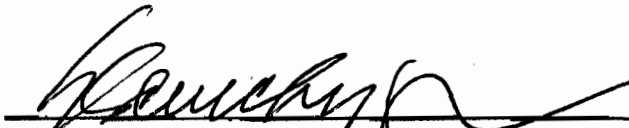
AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE

I, Stefan Semchyshyn, M.D., have requested an opportunity to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss my pending application for a Mississippi medical license and resolution of the investigation raising possible grounds for denial. It is the purpose of the informal meeting to discuss the facts of the case, to give me an opportunity to ask questions of the Committee or its staff, and to give the Committee or its staff an opportunity to ask questions of me. Because the meeting is informal, no disciplinary action will be taken without my express written consent. In so doing, I have been advised and understand the following:

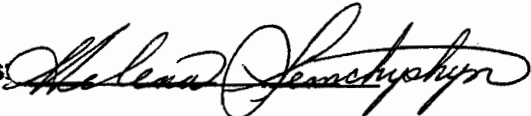
1. During the meeting, the Executive Committee may or may not be represented by legal counsel. Notwithstanding, I understand that I have a right, if I so choose, to employ legal counsel and have counsel present during the informal meeting.
2. I authorize the Committee Members to review and examine any statements, documentary evidence, or materials concerning the possible grounds for denial of licensure during my informal appearance.
3. Because the purpose of my appearance is to avoid a hearing before the Board, I agree that presentation to and consideration by the Committee of any facts, matters, and documents pertaining to my case shall not unfairly or illegally prejudice the Committee members from further participation or consideration in the event a formal show cause hearing is later conducted. Stated differently, in the event the pending matter is not resolved following my appearance before the Committee, I will not object to any of the Committee members from further participating in subsequent meetings or hearings that may be conducted in relation to this matter.
4. By signing my name in the space provided below, I hereby authorize the Executive Committee to proceed with the informal appearance, subject to the stipulations and understandings as noted above. I have elected to proceed:

with legal counsel present (name of counsel: K. Raulston)
 without legal counsel present

EXECUTED, this the 18 day of September, 2002.



 STEFAN SEMCHYSHYN, M.D.

Witness: 

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE

OF

JOHN WILBUR MCFADDEN, M.D.

ORDER OF CONTINUANCE

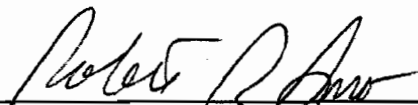
THIS MATTER came on regularly for hearing on September 18, 2002, before the Executive Committee of the Mississippi State Board of Medical Licensure, in response to a request for continuance of the hearing set for September 19, 2002, made by John Wilbur McFadden, M.D. (hereinafter "Licensee") through his attorney, Alex A. Alston. The motion, which is in the form of a letter from Mr. Alston dated September 3, 2002, states that Licensee has been away on extensive travels and "his attorney has been unable to get with him to prepare for the hearing..." The Board is further advised that Mr. Alston will no longer be representing Licensee in this matter, but that other counsel has been retained. After consideration of the matter, the Committee finds Licensee's motion to be well taken.

IT IS, THEREFORE, ORDERED, that this matter is continued until October 30, 2002, at 10:00 a.m.

SO ORDERED, this the 18th day of September, 2002.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY:



**ROBERT RAY SMITH, M.D.
PRESIDENT**

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
IN THE MATTER OF THE PHYSICIAN'S LICENSE
OF THOMAS W. GRAFTON, D.O.

ORDER OF CONTINUANCE

THIS MATTER came on regularly for consideration on September 18, 2002, before the Executive Committee of the Mississippi State Board of Medical Licensure, in response to an order entered this week by the Chancery Court of the First Judicial District of Hinds County, Mississippi, directing this Board to continue the hearing set for September 19, 2002, in the matter of the physician's license of Thomas W. Grafton, D.O. (hereinafter "Licensee").

On September 5, 2002, the Board initiated disciplinary proceeding against Licensee, charging him with habitual use of intoxicating liquors, or any beverage, to an extent which affects professional competency in the practice of medicine; and unprofessional conduct which includes being guilty of any dishonorable or unethical conduct likely to deceive, defraud or harm the public; all in violation of Subsections (2) and (8)(d) of Section 73-25-29 and Subsections (a) and (b) of Section 73-25-83, Mississippi Code (1972) Annotated. On September 10, 2002, Licensee was served with an Order prohibiting him from practicing medicine based on the finding that his continued practice represented an immediate threat to the public. Licensee thereafter petitioned the Chancery Court seeking a temporary restraining order and injunctive relief so as to permit him to practice pending the hearing. The Court denied the motion and directed that the Order of Prohibition "remain in full force

and effect pending a full evidentiary hearing...unless otherwise resolved by the parties.”
The Court then postponed the hearing “until a mutually agreed date and time.”

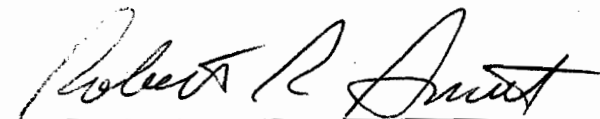
The next regularly scheduled meeting of the Mississippi State Board of Medical Licensure is October 30, 2002. The Committee was informed by its Complaint Counsel, Stan T. Ingram, that an opportunity was extended to Licensee, through discussions with his attorney, Chet Dillard, to schedule the hearing before this Committee at a date and time prior the next regularly scheduled meeting of the full Board. This offer was declined.

IT IS, THEREFORE, ORDERED, that this matter is continued until October 30, 2002, at 10:00 a.m.

SO ORDERED, this the 18th day of September, 2002.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY:



**ROBERT RAY SMITH, M.D.
PRESIDENT**

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE OF

JOHN MEDLEY SMOOT, M.D.

CONSENT ORDER

WHEREAS, John Medley Smoot, M.D., hereinafter referred to as "Licensee," is the current holder of License No. 07716 for the practice of medicine in the State of Mississippi;

WHEREAS, on August 16, 1999, Licensee entered into a Consent Order with this Board as a result of an investigation establishing that Licensee suffered from chemical dependency. The Consent Order imposed on Licensee the usual and customary restrictions found necessary to maintain Licensee's sobriety;

WHEREAS, on March 7, 2002, Licensee submitted to urine collection by the Professional Recovery Network, under the auspices of the Mississippi Recovering Physicians Program (MRPP). On March 12, 2002, test results for said urine sample were reported as positive for ethanol;

WHEREAS, on March 14, 2002, Gary Carr, M.D., indicated to the Mississippi State Board of Medical Licensure that Licensee had been intervened on and was scheduled to enter Pine Grove Recovery Center, Hattiesburg, Mississippi, for inpatient evaluation on March 17 or 18. Licensee did agree at that time to shut down his practice pending the results of the evaluation;

WHEREAS, Licensee entered inpatient treatment at Pine Grove, Hattiesburg, Mississippi, on March 26, 2002;

WHEREAS, following a positive (ethanol) urine sample collected from Licensee returning from home on therapeutic leave (June 7-10), it was the recommendation of Pine Grove's staff and the Mississippi Recovering Physician Program that Licensee enter into the Metro Atlanta Recovery Residences (MARR) for an undetermined period of intensive treatment;

WHEREAS, on July 18, 2002, MRPP indicated in writing that Licensee had chosen not to seek treatment at MARR and elected to continue treatment at Pine Grove. MRPP also indicated they were withdrawing their advocacy of Licensee until such time as Licensee can demonstrate continuous and uninterrupted sobriety for twelve (12) months;

WHEREAS, such conduct is in violation of the Mississippi Medical Practice Act and specifically Mississippi Code Annotated, Section 73-25-29(2) and (13) for which the Mississippi State Board of Medical Licensure may revoke the medical license of Licensee, suspend it for a time deemed proper by the Board or take any other action the Board may deem proper under the circumstances;

WHEREAS, Licensee wishes to avoid a hearing before the Mississippi State Board of Medical Licensure and in lieu thereof has consented to certain restrictions on his license to practice medicine in the State of Mississippi;

NOW, THEREFORE, the Mississippi State Board of Medical Licensure with consent of Licensee as signified by his joinder herein, does hereby indefinitely suspend Licensee's Certificate No. 07716 to practice medicine in the State of Mississippi.

Licensee shall have the right, but not the obligation, to petition the Board after expiration of not less than twelve (12) months for authorization to return to the practice of medicine.

During the twelve month period of no practice, Licensee will abide by all treatment recommendations made by Pine Grove, and the Mississippi Recovering Physicians Program (MRPP). At such time as the Board elects to authorize Licensee to return to the practice of medicine, the Board reserves the right, at its sole and absolute discretion, to utilize any information or reports from Pine Grove, MRPP or any other source to impose any other restrictions it deems necessary to protect the public.

This Consent Order shall be subject to approval by the Board. If the Board fails to approve this Consent Order, in whole or in part, it shall have no force or effect on the parties. It is further understood and agreed that the purpose of this Consent Order is to avoid a hearing before the Board. In this regard, Licensee authorizes the Board to review and examine any documentary evidence or material concerning the Licensee prior to or in conjunction with its consideration of this Consent Order. Should this Consent Order not be accepted by the Board, it is agreed that presentation to and consideration of this Consent Order and other documents and matters pertaining thereto by the Board shall not unfairly or illegally prejudice the Board or any of its members from participation in any further proceedings.

Licensee understands and expressly acknowledges that this Consent Order, if approved and executed by the Mississippi State Board of Medical Licensure, shall constitute a public record of the State of Mississippi. Licensee further acknowledges that the Board shall provide a copy of this Order to, among others, the U.S. Drug

Enforcement Administration, and the Board makes no representation as to action, if any, which the U. S. Drug Enforcement Administration may take in response to this Order.

Recognizing his right to notice of charges specified against him, to have such charges adjudicated pursuant to Miss. Code Ann. Section 73-25-27 (1972), to be represented therein by legal counsel of his choice, and to a final decision rendered upon written findings of fact and conclusions of law, John Medley Smoot, M.D., nonetheless, hereby waives his right to notice and a formal adjudication of charges and authorizes the Board to enter an order accepting this Consent Order, thereby indefinitely suspending his license to practice medicine in the State of Mississippi, subject to those terms and conditions enumerated above.

Signed this the 24th day of July, 2002

Angela Lee
Witness

John Medley Smoot MD
John Medley Smoot, M.D.

ACCEPTED AND APPROVED, This the 18th day of September, 2002, by the Mississippi State Board Of Medical Licensure.

Robert Ray Smith
Robert Ray Smith, M.D.
President

Johnny Ray Bullock, Jr. MD

PRACTICE PLAN AND GUIDELINES

1. Site of re-entry will be Lee Family Clinic in Tylertown, MS.
 2. Practice partner/mentor will be Ray Lee, MD.
 3. Date of re-entry will be September 13, 2002 upon practice plan approval.
 4. Practice will include aspects of Internal Medicine, Family Medicine and Emergency Medicine. This will include office practice from 8:00 a.m. to 5:00 p.m., four days a week, hospital rounds, occasional emergency room day coverage (not to exceed 5 times a month), home call for inpatients of the clinic on a rotational basis with Dr. Lee, and unreferred patient call per hospital rotation coverage.
 5. All patients with psychiatric diagnoses will be referred to psychiatric care, when appropriate.
 6. Will continue recovery network consisting of medical partner, wife, family, primary medical physician psychiatrist, therapist, and MRPP.
 7. Will follow all conditions and guidelines established by MRPP and MSBML.
 8. Will not see patients, male or female, in the clinic before or after usual operating hours.
 9. Will continue therapy with Valerie Loeschen, MSW, and Glen Ruffin, MD. per their recommendation. Reports will be provided to MRPP and MSBML on a quarterly basis.
 10. Will return to PRC for re-evaluation in one year.
 11. Will have chaperone present for all contacts with female patients, clients, and patient family members.
 12. Agree to practice review by MSBML and Gary Carr, MD, MRPP assigned practice reviewer.
 13. Agree to monitoring of personal prescription drugs by psychiatrist and primary care physician.
 14. Agree to monitoring of boundaries and provisions of this contract.
 15. Will disclose to others the terms of this plan on a need-to-know basis.
- Change per DR. CARR → 15. Copy of practice plan will be sent to Dr. Gary Carr, Valerie Loeschen LMSW, Dr. Glenn Ruffin, Dr. Ray Lee, MRPP, P.R.C., ~~and~~ MSBML, and Caduceus group facilitator.

17 16. The therapist, chaperone, and MRPP obligate to report any professional impairment and agree to report violations of these contract provisions to MSBML.

18. Will attend weekly Caduceus meetings unless excused by director of MRPP.

19 18. A copy of American Medical Association Code of Ethics will be placed in my office and patient rooms.

21 19. Agree to respect, defend, and uphold these contractual provisions.

21 20. Change in practice plan may be undertaken only by mutual decision of therapist, MRPP, MSBML, and myself. This plan will stay in place throughout term of contract with MSBML.

COPY

ADMINISTRATIVE PROCEDURES FILING NOTICE

Agency Board of Medical Licensure Person to Contact Rhonda Freeman
Address 1867 Crane Ridge Drive Suite 200B Address _____
Jackson, MS 39216

Phone (601) 987-3079 Transmittal Date September 19, 2002
Copy Attached: Yes No _____

Name or Number of Rule(s) XXIV. Office Based Surgery Regulations, C. 9.

Terms or Substance of the Actions or Description of the Subject and Issues:
See attached.

Printed Name and Title of Person Authorized to File Rules: Rhonda Freeman Division Director II
Name Title
Rhonda Freeman
Signature

EMERGENCY RULES
Original Filing _____
Renewal of Effectiveness _____
To Be In Effect _____ Days
Effective Date:
Immediately on _____
Other (Specify): _____

PROPOSED ACTION ON RULES
Action Proposed:
New Rule(s) _____
Amendment to Existing Rule(s) _____
Repeal of Existing Rule(s) _____
Adoption by Reference _____
Proposed Date of Adoption:
30 Days after Filing _____
Other (Specify): _____

FINAL ACTION ON RULES
Action Taken:
 Adopted with No Changes in Text
Adopted with Changes _____
Adopted by Reference _____
Withdrawn _____
Date Action Taken September 18, 2002
Effective Date
 30 Days After Filing
Other (Specify): _____

OFFICIAL FILING STAMP

DO NOT WRITE BELOW THIS LINE
OFFICIAL FILING STAMP

OFFICIAL FILING STAMP
FILED
SEP 19 2002
- MISSISSIPPI SECRETARY OF STATE

Accepted for filing by _____ Accepted for filing by _____ Accepted for filing by *[Signature]*

XXIV.

OFFICE BASED SURGERY REGULATIONS

C. GENERAL REQUIREMENTS FOR OFFICE SURGERY

9. It is strongly recommended that the American Society of Anesthesiologists' ***Guidelines for Office-Based Anesthesia*** and/or ***American Association of Nurse Anesthetists' Standards for Office Based Anesthesia*** be utilized for Level III procedures.

COPY

ADMINISTRATIVE PROCEDURES FILING NOTICE

Agency Board of Medical Licensure Person to Contact Rhonda Freeman
Address 1867 Crane Ridge Drive Suite 200B Address _____
Jackson, MS 39216
Phone (601) 987-3079 Transmittal Date September 19, 2002

Copy Attached: Yes No

Name or Number of Rule(s) XXVII. Regulations Pertaining To Emergency Telemedicine Within The State

Terms or Substance of the Actions or Description of the Subject and Issues:

See attached.

Printed Name and Title

of Person Authorized to File Rules: Rhonda Freeman

Division Director II

Name

Title

Rhonda Freeman
Signature

EMERGENCY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
<input type="checkbox"/> Original Filing	Action Proposed:	Action Taken:
<input type="checkbox"/> Renewal of Effectiveness	<input type="checkbox"/> New Rule(s)	<input checked="" type="checkbox"/> Adopted with No Changes in Text
To Be In Effect _____ Days	<input type="checkbox"/> Amendment to Existing Rule(s)	<input type="checkbox"/> Adopted with Changes
Effective Date:	<input type="checkbox"/> Repeal of Existing Rule(s)	<input type="checkbox"/> Adopted by Reference
<input type="checkbox"/> Immediately on	<input type="checkbox"/> Adoption by Reference	<input type="checkbox"/> Withdrawn
<input type="checkbox"/> Other (Specify):	Proposed Date of Adoption:	Date Action Taken <u>September 18, 2002</u>
	<input type="checkbox"/> 30 Days after Filing	Effective Date
	<input type="checkbox"/> Other (Specify):	<input checked="" type="checkbox"/> 30 Days After Filing
		<input type="checkbox"/> Other (Specify):

OFFICIAL FILING STAMP

DO NOT WRITE BELOW THIS LINE

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FILED
SEP 19 2002
MISSISSIPPI
SECRETARY OF STATE

Accepted for filing by _____

Accepted for filing by _____

Accepted for filing by *[Signature]*

**XXVII. REGULATIONS PERTAINING TO EMERGENCY
TELEMEDICINE WITHIN THE STATE**

A. SCOPE/PURPOSE

These regulations apply to only those individuals licensed to practice medicine or osteopathic medicine in the State of Mississippi and who are performing duties as employees of the University of Mississippi Medical Center. This regulation does not authorize any communication across state lines.

B. DEFINITIONS

For the purpose of Article XXVII only, the following terms have the meanings indicated:

1. "Physician" means any person licensed to practice medicine or osteopathic medicine in the State of Mississippi.
2. "Telemedicine" is the diagnosis or treatment of human injury, illness and diseases using interactive audio, video or data communications by electronic or other means.
3. "Teleemergency medicine" is a unique combination of telemedicine and the collaborative/supervisory role of a physician Board certified in emergency medicine, and an appropriate skilled health professional (Nurse Practitioner or Physician Assistant).

C. BOARD REVIEW

The same requirements as outlined in Article XIII shall apply.

D. COLLABORATIVE/SUPERVISING PHYSICIAN LIMITED

No physician practicing teleemergency medicine shall be authorized to function in a collaborative/supervisor role as outlined in Article XIII unless his or her practice location is a level 1 hospital trauma center that is able to provide continuous twenty-four hour coverage and has an existing air ambulance system in place. Coverage will be authorized only for those emergency departments of licensed hospitals who have an average daily census of thirty (30) or fewer Acute Care/Medical Surgical occupied beds as defined by their Medicare Cost Report.

E. REPORTING REQUIREMENTS

Quarterly reports detailing quality assurance activities, adverse or sentinel events shall be submitted for review to the Mississippi State Board of Medical Licensure. The Board of Nursing requires, in addition to these regulations, submission of quarterly reports to the Board of Nursing and reserves the right to re-evaluate and change reporting requirements, if need be.

F. EFFECTIVE DATE OF REGULATION

This above rules and regulations pertaining to telemergency medicine shall become effective October 18, 2002. This regulation shall stand repealed one (1) year from final adoption.

**VII. INTERNAL MEDICINE/PEDIATRICS COMBINED PROGRAMS
ACCREDITATION**

Information received from ACGME indicates that "combined programs" in Internal Medicine/Pediatrics are not accredited. It is the policy of the Board of Medical Licensure to accept these programs as accredited when both the internal medicine program and pediatrics program are independently accredited by the ACGME for training in each area.

IX. POLICY CONCERNING USMLE STEP 3 APPLICATION AND FEES

Mississippi rules and regulations require physicians making application with the Federation of State Medical Boards to sit for USMLE Step 3 in Mississippi to make application for a permanent Mississippi medical license. It is the policy of the Board of Medical Licensure that physicians requesting licensure by examination to submit an USMLE Step 3 permanent medical licensure application along with a \$50 non-refundable fee. The \$50 non-refundable fee will be applied to the \$500 licensure fee once the application process has been completed. An applicant for USMLE Step 3 permanent medical licensure has one year from the application received date in which to pass Step 3, complete the licensure process and pay the remainder licensure fee of \$450. All applicants passing Step 3 but otherwise not meeting this deadline will have to reapply for permanent Mississippi medical licensure and pay the \$500 licensure fee. Physicians failing to pass USMLE Step 3 will not have to submit a new application for licensure to the Board if they reapply to sit for USMLE Step 3 within one year from the last sitting date, but will be required to pay a \$25 file reactivation fee for each time file has to be reactivated. The \$25 file reactivation fee will not be applied to the \$500 licensure fee.

POLICY STATEMENT

The Mississippi State Board of Medical Licensure has promulgated regulations that specifically limit the charges for copying a patient file not to exceed \$20.00 for pages 1-20 and \$1.00 per page thereafter. Notwithstanding this regulation, the Board of Medical Licensure will not prohibit any Licensee from charging an additional administrative fee of \$25 associated with retrieving records for copying for medical referrals or transfer of records to another physician for health care. On requests for administrative, investigative, or informational purposes, the charge may be determined at the discretion of the physician, not to exceed \$100.

This fee will not be used to collect on an unpaid bill and the Board will address any complaints associated with such fees on a case by case basis.

SEPTEMBER 2002

**EXECUTIVE COMMITTEE
MEETING ONLY**

OCTOBER 2002

OCTOBER 2002

**BOARD
MEETING ONLY**

**BOARD MINUTES
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
OCTOBER 31, 2002**

The regularly scheduled meeting of the Mississippi State Board of Medical Licensure was held on Thursday, October 31, 2002, in the Executive Conference Room of the Office of the Board located at 1867 Crane Ridge Drive, Jackson, Mississippi. The meeting was originally scheduled for October 30 and 31, but a two-day meeting was not necessary because of a continuance request.

The following members were present:

Robert Ray Smith, M.D., Jackson, President
Dewitt G. Crawford, M.D., Louisville, Vice President
William B. Harper, D.O., Greenwood, Secretary
Freda M. Bush, M.D., Jackson
Joseph E. Johnston, M.D., Mount Olive
Henry J. Sanders, M.D., McComb
W. Joseph Burnett, M.D., Director

Also present:

Stan T. Ingram, Attorney for the Board
Heather Wagner, Special Assistant Attorney General
Rhonda Freeman, Division Director II, Licensure Division
Charles Moses, Division Director II, Investigative Division
Kathy Fortenberry, Administrative Assistant

Not present:

Frank W. Bowen, M.D., Carthage
Paul Douglas Jackson, M.D., Greenville

The meeting was called to order at 9:25 a.m. by Dr. Smith, President. Dr. Smith asked that a moment of silence be observed in memory of Board Member William H. Henderson, M.D., Oxford, who died in August. A single rose was placed on the Board table in his memory. The invocation was given by Dr. Crawford.

**APPROVAL OF CERTIFICATION OF MISSISSIPPI LICENSES TO OTHER ENTITIES
FOR THE PERIOD JULY 1, 2002, TO SEPTEMBER 30, 2002**

One hundred ninety-nine (199) licenses were certified to other entities for the period July 1, 2002, to September 30, 2002. Motion was made by Dr. Johnston, seconded by Dr. Crawford, and carried unanimously to approve these certifications.

**APPROVAL OF LICENSES ISSUED FOR THE PERIOD JULY 1, 2002, TO
SEPTEMBER 30, 2002**

One hundred twenty-nine (129) licenses were issued for the period July 1, 2002, to September 30, 2002. Motion was made by Dr. Johnston, seconded by Dr. Crawford, and carried unanimously to approve these licenses.

**REVIEW OF MINUTES OF THE EXECUTIVE COMMITTEE MEETING DATED
JULY 17, 2002, AND MINUTES OF THE BOARD MEETING DATED JULY 18, 2002**

Minutes of the Executive Committee Meeting dated July 17, 2002, and Minutes of the Board Meeting dated July 18, 2002, were reviewed. Dr. Sanders moved for approval of the minutes as submitted. Dr. Johnston seconded the motion, and it carried unanimously.

**REVIEW OF MINUTES OF THE EXECUTIVE COMMITTEE MEETING DATED
SEPTEMBER 18, 2002**

Minutes of the Executive Committee Meeting dated September 18, 2002, were reviewed. Dr. Sanders questioned the policy statement concerning copying cost, which was adopted at this meeting. Mr. Ingram explained the difference between a regulation and a policy statement. Dr. Crawford moved for approval of the minutes as submitted. Dr. Johnston seconded the motion, and it carried. Dr. Sanders abstained.

REPORTS FROM AD HOC COMMITTEES

Alternative Medicine - There was no new information to report.

Educational Development - There was no new information to report.

Impaired Physicians Program - Dr. Burnett reported that an audit had been received from Mississippi Recovering Physicians Program and that 93% of the fees the Board contributes is going for salaries. He also stated that Ms. Wagner and Mr. Ingram were working on the Memorandum of Understanding to address the matter of MRPP records only being subpoenaed.

Office Based Surgery - There was no new information to report.

Telemedicine - Dr. Burnett advised that the telemergency program at the University of Mississippi Medical Center was in operation and that the Board, as well as the Board of Nursing, would be receiving quarterly reports.

Legislative - Several items being considered for legislative filing in 2003 were discussed. Included were fingerprinting, limited faculty license, definition of the practice of medicine, and a change to allow for online renewal.

Nurse Practitioner and Expanded Role - The next Joint Nurse Practitioners Committee with the Board of Nursing is scheduled for November 18, 2002.

OTHER BUSINESS

Dr. Burnett advised that extensions had been given until December 31, 2002, to physicians who had not completed the CME requirement by June 30, 2002, and who had requested such an extension. It was the consensus of the Board members that the license of those who do not complete the requirement by December 31, 2002, will be expired. If they continue to practice, they will be considered practicing without a license.

Dr. Burnett reported that Kenneth G. Perry, Jr., M.D., Jackson, had been asked to review the file of Stefan Semchyshyn, M.D., Chuckey, Tennessee, who appeared before the Executive Committee at their September 18, 2002, meeting. Dr. Perry stated he saw no reason to deny Dr. Semchyshyn a license. It was the consensus of the Board members to issue his license.

Dr. Sanders made a motion that the policy statement concerning copying cost be adopted as a part of the rules and regulations. The motion was seconded by Dr. Johnston and carried unanimously. The amendment to the ***Release of Medical Records*** will be filed with the Secretary of State under the Administrative Procedures Act. A copy of the regulation is attached hereto and incorporated by reference.

REQUEST FROM MISSISSIPPI STATE DEPARTMENT OF HEALTH TO ALLOW INFLUX OF PHYSICIANS LICENSED IN OTHER STATES TO COME INTO MISSISSIPPI IN CASE OF NATIONAL EMERGENCIES

Mr. Ingram briefly reviewed the Federal and State statutes which would allow physicians licensed in other states to come into Mississippi in case of a national emergency. Motion was made by Dr. Johnston, seconded by

Dr. Crawford, and carried unanimously for the Board Minutes to reflect acknowledgment of these statutes.

**ORDER OF LICENSE REINSTATEMENT OF THOMAS ENOS STANFORD, JR., M.D.,
SPICEWOOD, TEXAS, MISSISSIPPI MEDICAL LICENSE NUMBER 09688**

Dr. Stanford was not present or represented by legal counsel.

For informational purposes only, Dr. Burnett advised that the Chancery Court of Lee County, Mississippi, had ordered the Board to remove the suspension of Dr. Stanford's license. The Court had earlier ordered the suspension of his license due to failure to pay child support. The Board Order was issued August 21, 2002, and is attached hereto and incorporated by reference.

**HEARING IN THE MATTER OF JOHN WILBUR MCFADDEN, JR., M.D., TUPELO,
MISSISSIPPI MEDICAL LICENSE NUMBER 05129**

Dr. McFadden was not present or represented by legal counsel.

Mr. Ingram presented a request for continuance from Dr. McFadden's attorney, James R. Franks, Jr., Esq., Tupelo. Mr. Franks is a member of the Mississippi House of Representatives and is requesting the continuance because of a special session of the legislature. Motion was made by Dr. Johnston, seconded by Dr. Crawford, and carried unanimously to continue the hearing until Wednesday, December 11, 2002. A copy of the Amended Summons is attached hereto and incorporated by reference.

A verbatim account of this proceeding was recorded by Dawn Johnson, Court Reporter.

OTHER BUSINESS

Dr. Burnett and Mr. Ingram reviewed the Consent Order executed by Steve Morris, III, M.D., Shubuta, Mississippi Medical License Number 13836. Motion was made by Dr. Crawford, seconded by Dr. Johnston, and carried unanimously to accept the Consent Order, a copy of which is attached hereto and incorporated by reference.

A verbatim account of this proceeding was recorded by Dawn Johnson, Court Reporter.

**HEARING IN THE MATTER OF THOMAS WEBBER GRAFTON, D.O., SOUTHAVEN,
MISSISSIPPI MEDICAL LICENSE NUMBER 12613**

Dr. Grafton was present and represented by legal counsel, W.O. "Chet" Dillard, Esq., Jackson.

Mr. Dillard entered a motion for summary judgment, to which Mr. Ingram responded this was not applicable and explained the charges and background of the case. Mr. Dillard also objected to three Board members not being present. Mr. Ingram stated the Board had the authority to proceed with a quorum of members present.

Motion was made by Dr. Johnston, seconded by Dr. Crawford, and carried unanimously that the Board consider going into Executive Session to consider entry of an order which may be appealable. With a motion by Dr. Bush, seconded by Dr. Johnston, the Board went into Executive Session. When the Board returned, Dr. Smith advised that the Board members had considered the motion for summary judgment. Mr. Dillard entered affidavits he had just received for the Board members to consider before making a decision. Motion was made by Dr. Johnston, seconded by Dr. Bush, and carried unanimously to deny the motion for summary judgment.

Mr. Ingram asked that all witnesses be removed from the Board room until time for their testimony, to which Mr. Dillard objected. Dr. Smith allowed the witnesses to stay.

Angela Lee, Investigator for the Board of Medical Licensure, was sworn in and answered questions from Mr. Ingram, Mr. Dillard, and Board members. Mr. Ingram entered numerous exhibits, explaining each of them.

Gary D. Carr, M.D., Medical Director, Mississippi Recovering Physicians Program, was sworn in and gave his education and background. Mr. Ingram tendered him as an expert witness. Dr. Carr was questioned by Mr. Ingram, Mr. Dillard, and Board members.

Lloyd James Gordon, III, M.D., Medical Director, COPAC, was sworn in and tendered as an expert witness. Mr. Ingram, Mr. Dillard, and Board members questioned Dr. Gordon.

THE BOARD RECESSED FOR LUNCH AT 12:30 P.M. AND RECONVENED AT 1:30 P.M.

Mr. Dillard made a motion for a directed verdict. Mr. Ingram responded there was no basis for a directed verdict. Motion was made by Dr. Johnston, seconded by Dr. Crawford, and carried unanimously that the Board consider going into Executive Session to consider entry of an order which may be appealable. With a motion by Dr. Crawford, seconded by Dr. Johnston, the Board went into Executive Session.

Upon motion by Dr. Johnston, seconded by Dr. Bush, and carried unanimously, the Board came out of Executive Session at which time Dr. Smith announced to deny the motion for a directed verdict.

Dr. Grafton was sworn in and answered questions from Mr. Dillard, Mr. Ingram, and Board members. Stan Smith, Ph.D., Clinical Director, Centurion Counseling Center, was sworn in and tendered as an expert witness. He answered questions from Mr. Dillard, Mr. Ingram, and Board members.

DR. HARPER EXITED THE MEETING AT 3:00 P.M.

Mr. Dillard presented another motion for a directed verdict, based on evidence presented. Motion was made by Dr. Crawford, seconded by Dr. Johnston, and carried unanimously to deny the request for a directed verdict.

Motion was made by Dr. Johnston, seconded by Dr. Sanders, and carried unanimously that the Board consider going into Executive Session to consider entry of an order which may be appealable. With a motion by Dr. Johnston, seconded by Dr. Crawford, the Board went into Executive Session.

Upon motion by Dr. Johnston, seconded by Dr. Sanders, and carried unanimously, the Board came out of Executive Session at which time Dr. Smith announced to place the following restrictions on Licensee: (1) breath, urine and/or blood serum screens with total abstinence for the length of the Board Order; (2) immediately submit a practice plan; (3) provide a weekly work schedule; and (4) continue individual psychotherapy with a Board approved psychiatrist with quarterly reports to the Board. Licensee may petition the Board for release of any or all of the restrictions after the expiration of two years.

BOARD MINUTES
October 31, 2002
Page 7

A verbatim account of this proceeding was recorded by Dawn Johnson, Court Reporter.

OTHER BUSINESS

It was the consensus of the Board members to make December 1, 2002, as the effective date of Dr. Morris' Consent Order.

ADJOURNMENT

The meeting was adjourned at 3:45 p.m. with the next meeting scheduled for Wednesday and Thursday, December 11 and 12, 2002.



Robert Ray Smith, M.D.
President

Minutes taken and transcribed
by Kathy Fortenberry
Administrative Assistant
October 31, 2002

**CORRECTED
EXECUTIVE SESSION
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
OCTOBER 31, 2002**

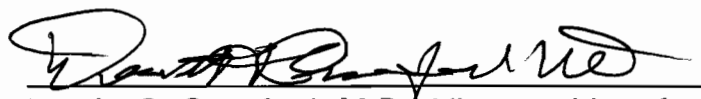
AGENDA ITEM XIV

**HEARING IN THE MATTER OF THOMAS WEBBER GRAFTON, D.O., SOUTHAVEN,
MISSISSIPPI MEDICAL LICENSE NUMBER 12613**

Motion made by Dr. Crawford, seconded by Dr. Sanders, and carried to deny motion for directed verdict.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Frank W. Bowen, M.D.				X
Freda M. Bush, M.D.	X			
Dewitt G. Crawford, M.D.	X			
William B. Harper, D.O.	X			
Paul Douglas Jackson, M.D.				X
Joseph E. Johnston, M.D.	X			
Henry J. Sanders, M.D.	X			
Robert Ray Smith, M.D.	X			

With a motion by Dr. Johnston, seconded by Dr. Bush, the Board came out of Executive Session.


Dewitt G. Crawford, M.D., Vice President for
Robert Ray Smith, M.D., President

**EXECUTIVE SESSION
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
OCTOBER 31, 2002**

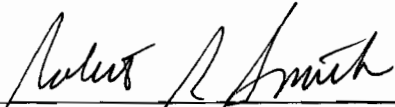
AGENDA ITEM XIV

**HEARING IN THE MATTER OF THOMAS WEBBER GRAFTON, D.O., SOUTHAVEN,
MISSISSIPPI MEDICAL LICENSE NUMBER 12613**

Motion made by Dr. Crawford, seconded by Dr. Sanders, and carried to deny motion for directed verdict.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Frank W. Bowen, M.D.				X
Freda M. Bush, M.D.	X			
Dewitt G. Crawford, M.D.	X			
William B. Harper, D.O.	X			
William H. Henderson, M.D.	X			
Paul Douglas Jackson, M.D.				X
Joseph E. Johnston, M.D.	X			
Henry J. Sanders, M.D.	X			
Robert Ray Smith, M.D.	X			

With a motion by Dr. Johnston, seconded by Dr. Bush, the Board came out of Executive Session.



Robert Ray Smith, M.D.
President

**CORRECTED COPY
EXECUTIVE SESSION
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
OCTOBER 31, 2002**

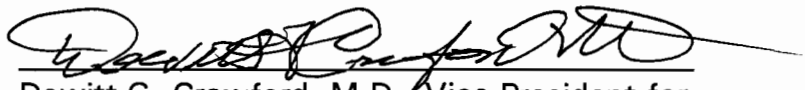
AGENDA ITEM XIV

**HEARING IN THE MATTER OF THOMAS WEBBER GRAFTON, D.O., SOUTHAVEN,
MISSISSIPPI MEDICAL LICENSE NUMBER 12613**

Motion made by Dr. Johnston, seconded by Dr. Sanders, and carried to place the following restrictions on Licensee: (1) breath, urine and/or blood serum screens with total abstinence for the length of the Board Order; (2) immediately submit a practice plan; (3) provide a weekly work schedule; and (4) continue individual psychotherapy with a Board approved psychiatrist with quarterly reports to the Board. Licensee may petition the Board for release of any or all of the restrictions after the expiration of two years.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Frank W. Bowen, M.D.				X
Freda M. Bush, M.D.	X			
Dewitt G. Crawford, M.D.	X			
William B. Harper, D.O.				X
Paul Douglas Jackson, M.D.				X
Joseph E. Johnston, M.D.	X			
Henry J. Sanders, M.D.	X			
Robert Ray Smith, M.D.	X			

With a motion by Dr. Johnston, seconded by Dr. Sanders, the Board came out of Executive Session.



Dewitt G. Crawford, M.D., Vice President for
Robert Ray Smith, M.D., President

**EXECUTIVE SESSION
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
OCTOBER 31, 2002**

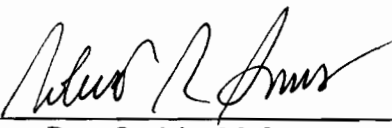
AGENDA ITEM XIV

**HEARING IN THE MATTER OF THOMAS WEBBER GRAFTON, D.O., SOUTHAVEN,
MISSISSIPPI MEDICAL LICENSE NUMBER 12613**

Motion made by Dr. Johnston, seconded by Dr. Sanders, and carried to place the following restrictions on Licensee: (1) breath, urine and/or blood serum screens with total abstinence for the length of the Board Order; (2) immediately submit a practice plan; (3) provide a weekly work schedule; and (4) continue individual psychotherapy with a Board approved psychiatrist with quarterly reports to the Board. Licensee may petition the Board for release of any or all of the restrictions after the expiration of two years.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Frank W. Bowen, M.D.				X
Freda M. Bush, M.D.	X			
Dewitt G. Crawford, M.D.	X			
William B. Harper, D.O.				X
William H. Henderson, M.D.	X			
Paul Douglas Jackson, M.D.				X
Joseph E. Johnston, M.D.	X			
Henry J. Sanders, M.D.	X			
Robert Ray Smith, M.D.	X			

With a motion by Dr. Johnston, seconded by Dr. Sanders, the Board came out of Executive Session.



Robert Ray Smith, M.D.
President

ADMINISTRATIVE PROCEDURES FILING NOTICE

Agency Board of Medical Licensure Person to Contact Rhonda Freeman
Address 1867 Crane Ridge Drive Suite 200B Address _____
Jackson, MS 39216
Phone (601) 987-3079 Transmittal Date November 1, 2002
Copy Attached: Yes No _____

Name or Number of Rule(s) XII. Release of Medical Records, E.

Terms or Substance of the Actions or Description of the Subject and Issues:
See attached.

Printed Name and Title of Person Authorized to File Rules: Rhonda Freeman Division Director II
Name Rhonda Freeman Title _____
Signature _____

EMERGENCY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
<input type="checkbox"/> Original Filing <input type="checkbox"/> Renewal of Effectiveness To Be In Effect _____ Days Effective Date: <input type="checkbox"/> Immediately on <input type="checkbox"/> Other (Specify): _____	Action Proposed: <input type="checkbox"/> New Rule(s) <input checked="" type="checkbox"/> Amendment to Existing Rule(s) <input type="checkbox"/> Repeal of Existing Rule(s) <input type="checkbox"/> Adoption by Reference Proposed Date of Adoption: <input checked="" type="checkbox"/> 30 Days after Filing <input type="checkbox"/> Other (Specify): _____	Action Taken: <input type="checkbox"/> Adopted with No Changes in Text <input type="checkbox"/> Adopted with Changes <input type="checkbox"/> Adopted by Reference <input type="checkbox"/> Withdrawn Date Action Taken _____ Effective Date <input type="checkbox"/> 30 Days After Filing <input type="checkbox"/> Other (Specify): _____

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP FILED NOV 01 2002 MISSISSIPPI SECRETARY OF STATE	OFFICIAL FILING STAMP
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Accepted for filing by _____ Accepted for filing by [Signature] Accepted for filing by _____

XII. RELEASE OF MEDICAL RECORDS

E. ADMINISTRATIVE FEES

The Board of Medical Licensure will not prohibit any Licensee from charging an additional administrative fee of \$25 associated with retrieving records for copying for medical referrals or transfer of records to another physician for health care. On requests for administrative, investigative, or informational purposes, the charge may be determined at the discretion of the physician, not to exceed \$100.

F. VIOLATION OF REGULATIONS

A refusal by a physician to release patient records as enumerated above shall constitute unprofessional conduct, dishonorable or unethical conduct likely to deceive, defraud or harm the public in violation of Mississippi Code (1972) Annotated, Section 73-25-29(8)(d), as amended.

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE

OF

THOMAS E. STANFORD, JR., M.D.

ORDER OF LICENSE REINSTATEMENT

WHEREAS, Thomas E. Stanford, M.D., hereinafter referred to as "Licensee," currently holds Mississippi Medical License Number 09688. Although said license is presently lapsed, Licensee has the right to seek reinstatement of the same pursuant to Mississippi law;

WHEREAS, on November 13, 2001, the Chancery Court of Lee County, Mississippi, rendered an Order in Cause No. 95-1372, styled *Dale S. Stanford v. Thomas E. Stanford*, finding Licensee in contempt of court as a result of his "willful, contumacious...failure to pay any reasonable amount toward outstanding child support arrearage."

WHEREAS, pursuant to authority set forth in Miss. Code Ann. § 93-11-163, the Chancery Court ordered that the medical license previously issued to Licensee be immediately suspended and that the Board not reinstate or reissue said medical license except upon Order of the Court, "which shall not issue until Defendant, Thomas E. Stanford, Jr., has brought all child support payments current."

WHEREAS, in response to the above directives, the Board entered an order on November 26, 2001, suspending Licensee's certificate to practice medicine until such time as the Board received an order of the Chancery Court of Lee County, Mississippi, or other court of competent jurisdiction, directing this Board to reinstate.

WHEREAS, the Board is now in receipt of verification from the Chancery Court of Lee County, Mississippi, that Licensee has reached a settlement as to payment of child support and is no longer in arrears.

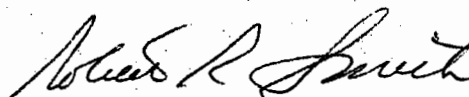
NOW, THEREFORE, IT IS HEREBY ORDERED, that pursuant to authority granted by Miss. Code Ann. Section 93-11-163, the suspension of License No. 09688, issued to Thomas E. Stanford, Jr., M.D., although presently lapsed, is hereby removed. Licensee now has the right to seek reinstatement of his lapsed license pursuant to Mississippi law.

IT IS FURTHER ORDERED, that a copy of this Order shall be sent by registered mail or personally served upon Thomas E. Stanford, Jr., M.D.

ORDERED this the 21st day of August, 2002.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY:



**ROBERT RAY SMITH, M.D.
PRESIDENT**

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE

OF

JOHN WILBUR MCFADDEN, JR., M.D.

AMENDED SUMMONS

TO: John Wilbur McFadden, Jr., M.D.
Tupelo Pain Clinic
320 South Gloster, Tupelo, MS 38801
License No. 05129

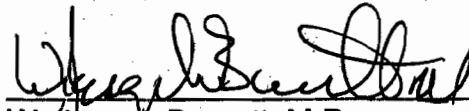
You Are Hereby Summoned to appear before the Mississippi State Board of Medical Licensure in its Board Room, 1867 Crane Ridge Drive, Suite 200-B, Hinds County, Jackson, Mississippi, on December 11, 2002, at 10:00 a.m., to answer the charges filed against you in the matter now pending before this Board. The Mississippi State Board of Medical Licensure, charged by law with the licensing of medical doctors in this State, under Title 73, Chapter 25, Mississippi Code (1972), as amended, charges that you, a physician duly licensed under the authority of the Mississippi State Board of Medical Licensure and the laws of the State of Mississippi, are guilty of having violated an existing Consent Order with the Board (failure to comply with the rules and regulations pertaining to prescribing, administering and dispensing of medications all as required by the September 23, 1999, Consent Order, approved by the Board October 20, 1999); and are guilty of unprofessional conduct, which includes dishonorable or unethical conduct likely to harm the public;

Pursuant to Subsections (8)(d), (13) of Section 73-25-29 and Section 73-25-83(a), Mississippi Code (1972) Annotated, as amended, such acts constitute grounds for the Mississippi State Board of Medical Licensure to place your license on probation, the terms

Mississippi State Board of Medical Licensure to place your license on probation, the terms of which may be set by the Board, suspend your right to practice for a time deemed proper by the Board, revoke your Mississippi medical license or take any other action in relation to your license as the Board may deem proper under the circumstance.

The Mississippi State Board of Medical Licensure further advises you that you have the right to be present at the hearing, to be represented by counsel, to produce witnesses or evidence on your behalf, to cross-examine witnesses and to have subpoenas issued by this Board.

Given Under My Hand And Seal of Office, this the 30th day of October, 2002.



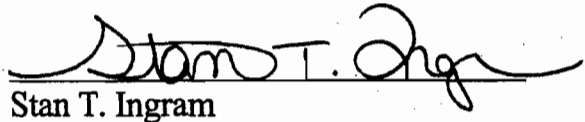
W. Joseph Burnett, M.D.

Director

Mississippi State Board of
Medical Licensure

CERTIFICATE OF SERVICE

I, STAN T. INGRAM, attorney for the Mississippi State Board of Medical Licensure, do hereby certify that I have this 1st day of November, 2002, personally served the foregoing summons/order on John McFadden, M.D. by delivering a duplicate original thereof to his attorney of record, Hon. Jamie Franks.


Stan T. Ingram

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE

OF JOHN WILBUR MCFADDEN, JR., M.D.

SUMMARY RESTRICTION PENDING HEARING

WHEREAS, John Wilbur McFadden, Jr., M.D., hereinafter referred to as "Licensee," currently holds Mississippi Medical License Number 05129, said number valid until June 30, 2003;

WHEREAS, on September 23, 1999, Licensee entered into a Consent Order with the Mississippi State Board of Medical Licensure, hereinafter referred as "Board," placing certain restrictions on his license to practice medicine in the State of Mississippi. The Consent Order was accepted by the Board on October 20, 1999. The conditions imposed by said Consent Order included, among others, the completion of a course pertaining to the prescribing of controlled substances, and compliance with all federal and state laws governing the practice of medicine, including the Rules and Regulations of the Board pertaining to "Use of Controlled Substances for Chronic (Non-Terminal) Pain;"

WHEREAS, the aforementioned Consent Order also made provision for "summary suspension" of license in the event Licensee failed to comply with the terms of the Consent Order. The full text of the summary suspension provision is as follows, to-wit:

4. In the event Licensee fails to comply with all conditions imposed on him by the Menninger Clinic or this Consent Order, Licensee shall be prohibited from practicing medicine until such time as a determination is made by the Board that Licensee is again ready to return to the practice of medicine. Summary suspension pursuant to this paragraph shall be for an indefinite period of time, notwithstanding any term or right to petition for reinstatement provided herein."

WHEREAS, on August 6, 2002, the Board initiated further disciplinary proceedings against Licensee, by issuance of a Summons and Affidavit, including charges that Licensee violated the existing Consent Order with the Board as a result of his failure to comply with the Rules and Regulations, "Pertaining to the Prescribing, Administration and Dispensing of Medication";

WHEREAS, the Board now has in its possession evidence that Licensee has failed to comply with the terms and conditions of the aforementioned Consent Order of September 23, 1999;

WHEREAS, by virtue of authority granted by the aforementioned Consent Order, the Board has the authority to summarily suspend Licensee's certificate to practice medicine. Notwithstanding, the Board believes it is in the best interest of Licensee and the public to permit him to continue to practice pending the hearing, subject only to restriction on Licensee's ability to administer, dispense and prescribe controlled substances and other drugs having addiction forming or addiction sustaining liability.

NOW, THEREFORE, IT IS HEREBY ORDERED, that pursuant to authority granted in the aforementioned Consent Order, Licensee is hereby prohibited from administering, dispensing or prescribing controlled substances in any schedule; and is further prohibited

addiction-sustaining liability including, but not limited to, the medications Nalbuphine HCL, Carisoprodol, Tramadol HCL and Butalbital Compounds.


IT IS FURTHER ORDERED that the above action is hereby taken on a temporary basis, without a hearing, pending the outcome of the scheduled hearing on December 11, 2002.

IT IS FURTHER ORDERED, that a copy of this Order shall be sent by registered mail or personally served upon John Wilbur McFadden, Jr., M.D., or his attorney of record, and shall be effective immediately upon receipt thereof.

ORDERED this the 31st day of October, 2002.

MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

By: _____


W. Joseph Byrnett, M.D.
Executive Director

CERTIFICATE OF SERVICE

I, STAN T. INGRAM, attorney for the Mississippi State Board of Medical Licensure, do hereby certify that I have this 1st day of November, 2002, personally served the foregoing summons/order on John McFadden, M.D. by delivering a duplicate original thereof to his attorney of record, Hon. Jamie Franks.


Stan T. Ingram

**BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
IN THE MATTER OF THE PHYSICIAN'S LICENSE**

OF

STEVE MORRIS, III, M.D.

ORDER

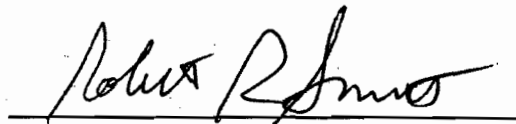
THIS MATTER came on regularly for consideration on October 31, 2002, before the Mississippi State Board of Medical Licensure, in response to the request of Steve Morris, III, M.D. (hereinafter "Licensee"), seeking clarification of the effective date for that certain Consent Order executed by Licensee on October 22, 2002; said order attached hereto as an exhibit and incorporated herein by reference. After hearing said request, the Board finds the same to be well-taken.

IT IS HEREBY ORDERED, that the effective date of the aforementioned Consent Order shall be December 1, 2002.

IT IS FURTHER ORDERED, that pursuant to Miss. Code Ann. Sections 73-25-27 and 73-25-32 (1972), a copy of this Order shall be sent by registered mail or personally served upon Steve Morris III, M.D.

ORDERED, this the 31st day of October, 2002.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**



**BY: ROBERT RAY SMITH, M.D.
PRESIDENT**

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE

OF

STEVE MORRIS III, M.D.

CONSENT ORDER

WHEREAS, Steve Morris III, M.D., hereinafter referred to as "Licensee," is the current holder of Mississippi Medical License Number 13836, current until June 30, 2003;

WHEREAS, the Investigative Staff of the Mississippi State Board of Medical Licensure has conducted a comprehensive investigation into the medical practice of Steve Morris III, M.D., Waynesboro, Mississippi, and has documented evidence indicating that Steve Morris III, M.D., has violated that certain Consent Order dated November 1, 2000, in regards to complete documentation of medical records;

WHEREAS, such conduct is in violation of the Mississippi Medical Practice Act and specifically Miss. Code Ann. (1972) §73-25-29 (8)(d) and (13) and 73-25-83(a), for which the Mississippi State Board of Medical Licensure may revoke the medical license of Licensee, suspend it for a time deemed proper by the Board, or take any other action as the Board may deem proper under the circumstances;

WHEREAS, Licensee wishes to avoid a hearing before the Mississippi State Board of Medical Licensure and in lieu thereof, has requested that certain restrictions be placed upon his license to practice medicine in the State of Mississippi;

NOW, THEREFORE, the Mississippi State Board of Medical Licensure, with consent of Licensee as signified by his joinder herein, does hereby indefinitely suspend Licensee's certificate to practice medicine in the State of Mississippi, with the right to petition for reinstatement

after six (6) months from the effective date of this Order. Prior to Licensee's appearance for reinstatement, he shall be required to undergo a comprehensive psychological and psychiatric evaluation to be performed by a Board approved psychiatrist. Prior to the examination, Licensee shall execute such releases and authorizations that will allow for a free flow of information between the evaluator(s) and the Board. Following completion of the evaluation, Licensee shall direct the final report to be directed to the Executive Director of the Board. At such time of Licensee's appearance before the Board, he shall present a plan of practice that shall include the following provisions:

1. Licensee shall not perform any procedures involving breast augmentation, breast reduction or any surgical procedures inside or outside a hospital. At such time as he may successfully complete a Board approved surgical residency, Licensee may request removal of this restriction.
2. Licensee shall not prescribe, dispense or administer any controlled substances for the treatment of obesity, weight loss or weight control. He may utilize legend drugs for treating patients for obesity, weight loss or weight control only if said drug has an FDA approved indication for such purpose. No over the counter (OTC) or herbal products will be used for weight loss.
3. Licensee shall abide and comply with all Federal and State laws and shall abide and comply with all of the rules and regulations of the Board.
4. Within one (1) year of the effective date of this Consent Order, Licensee must attend and successfully complete courses in medical record keeping and medical ethics, with said courses approved in advance by the Executive Director of the Board. Following completion of these courses, Licensee shall submit to the Board documentary proof of successful completion.
5. Licensee's practice of medicine shall be subject to periodic surveillance by the

Mississippi State Board of Medical Licensure. The Board's Executive Director, any member of the Board or medical consultant appointed by the Board, or investigative staff, may inspect and copy records in order to perform a patient chart review of a representative sample of those patients treated by Licensee.

At the time of reinstatement the Board does reserve the right to impose additional restrictions or conditions on the medical license of Licensee, as it may deem necessary to protect the public. Following reinstatement, Licensee shall have the right to petition the Mississippi State Board of Medical Licensure for release of any or all of the above enumerated conditions after the expiration of one (1) year from the effective date of reinstatement. Thereafter, any right to petition the Board for reconsideration shall be at reasonable intervals, but not less than twelve (12) months from the date of last appearance.

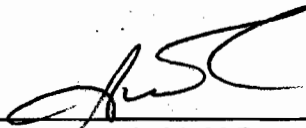
This Consent Order shall be subject to approval by the Mississippi State Board of Medical Licensure. If the Board fails to approve the Consent Order, in whole or in part, it shall have no force or effect on the parties. It is further understood and agreed that the purpose of this Consent Order is to avoid a hearing before the Mississippi State Board of Medical Licensure. In this regard, Licensee authorizes the Board to review and examine any documentary evidence or materials concerning the Licensee prior to or in conjunction with its consideration of the Consent Order. Should the Consent Order not be accepted by the Board, it is agreed that presentation to and consideration of the Consent Order and other documents and matters pertaining thereto by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation or consideration of the resolution of the proceedings.

Pursuant to Miss. Code Ann., Section 73-25-30, Licensee shall pay all such investigative costs as are allowed by law. Licensee shall be advised of the total assessment by separate written notification, and shall have a certified check or money order made payable to the Mississippi State Board of Medical Licensure on or before forty (40) days from the day of

acceptance and approval of this Consent Order by the Board.

Licensee understands and expressly acknowledges that this Consent Order executed by the Mississippi State Board of Medical Licensure shall constitute a public record of the State of Mississippi. Execution of this Consent Order shall not be interpreted as an admission of malpractice by Licensee.

Recognizing his right to a notice of charges specified against him, to have such charges adjudicated pursuant to Miss. Code Ann. §73-25-27, to be represented therein by legal counsel of his choice, and to a final decision rendered upon written findings of fact and conclusions of law, Steve Morris III, M.D., nonetheless, hereby waives his right to notice and a formal adjudication of charges and authorizes the Mississippi State Board of Medical Licensure to enter an order accepting this Consent Order, thereby indefinitely suspending his license to practice medicine in the State of Mississippi, with the suspension stayed subject to those probationary terms and conditions enumerated above.

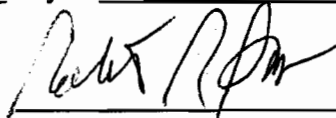


Steve Morris III, M.D.
10/22/02

Date
Salvino House

Witness

ACCEPTED AND APPROVED, this the 31st day of October, 2002, by the Mississippi State Board of Medical Licensure.



Robert Ray Smith, M.D.
President

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE

OF

THOMAS W. GRAFTON, D.O.

DETERMINATION AND ORDER

THIS MATTER came on regularly for hearing on October 31, 2002, before the Mississippi State Board of Medical Licensure, pursuant to Title 73, Chapters 25 and 26, Miss. Code (1972) Annotated. The Board initiated these proceedings on September 5, 2002, by issuance of an Summons against Thomas W. Grafton, D.O. (hereinafter "Licensee"), charging Licensee with violation of Subsections (2) and (8)(d) of Section 73-25-29 and Section 73-25-83(a), Miss. Code (1972) Annotated, as amended. The specific allegations were set forth by Affidavit of same date from Angela Lee, Investigator, attached to and made a part of the Summons, wherein Licensee was charged with violation of the Mississippi Medical Practice Act, i.e., habitual use of intoxicating liquors, or any beverage to an extent which affects professional competency in the practice of medicine; and unprofessional conduct, which includes, but is not limited to, any dishonorable or unethical conduct likely to deceive, defraud and harm the public.

The hearing was convened at 10:00 a.m., Licensee being present, and represented by Honorable W. O. "Chet" Dillard. Complaint Counsel for the Board was Honorable Stan T. Ingram. Sitting as legal advisor for the Board was Honorable Heather Wagner, Assistant Attorney General. Evidence and testimony was then presented. Based upon the above, the Board renders the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

I.

Licensee was licensed to practice medicine in the State of Mississippi in July, 1990, by issuance of Mississippi Medical License No. 12613.

II.

On February 27, 1996, Licensee plead guilty to a charge of driving under the influence of alcohol (.129) in Gulfport Municipal Court, Gulfport, Mississippi. Licensee was sentenced to two days in jail (suspended) and fined. Licensee was further required to attend Mississippi Alcohol Safety Education Program (MASEP) and Victim's Impact Panel Seminar (VIP).

III.

During April and May, 1998, the Board conducted a comprehensive investigation into the practice of Licensee as a result of allegations of inappropriate sexual contact with a patient and inappropriate prescribing of controlled substances. As a result of the investigation, Licensee voluntarily agreed to submit to an evaluation at the Menninger Clinic, Topeka, Kansas. Between October 19 and October 22, 1998, Licensee was evaluated at Menninger Clinic. Upon conclusion of the evaluation, the assessment team offered the following conclusions and recommendations in part:

"5.Dr. Grafton, in our opinion, is not clearly impaired in his ability to practice medicine with safety and despite the fact that he does not merit a diagnosis of substance dependency or substance abuse, we feel that it is reasonable to require him to undergo body fluid sampling and breathalyzer testing on a "for cause basis" within his community should there be any concern that he appears to be under the influence of such agents."

In response to the above evaluation results, the Board chose not to seek disciplinary action against Licensee.

IV.

During the fall of 1998, Mr. Roy Young, Director, South Central Recovery Center Alcohol & Drug Dependency Treatment Unit, Laurel, Mississippi, reported he had smelled the strong odor of alcohol on Licensee when Licensee came on the floor to see patients. Subsequently, South Central Regional Medical Center conducted an investigation. As part of the investigation, and after documentation of at least three (3) other incidences of Licensee smelling of the odor of alcohol, Licensee was asked to undergo an evaluation by Steven Southern, Ph.D., South Mississippi Psychiatric Group, Hattiesburg, Mississippi, on February 6, 1999. Upon conclusion of the investigation, the Medical Staff Investigative Committee rendered its report on February 18, 1999, found in part:

"1. For a period of twelve (12) months after Dr. Grafton returns from his leave of absence, he shall be subject to random drug/alcohol testing whenever called upon by the Executive Director of the hospital or the President of the Medical Staff. In the event of a positive test, the committee will convene immediately to consider appropriate action;

4. Dr. Grafton shall self-report to the President of the Medical Staff or the Executive Director of the hospital should he experience difficulties with drug or alcohol consumption and immediately seek professional help....."

The above medical staff discipline was not immediately reported to the Board. As a result, no disciplinary action was initiated. The Board was not made aware of the

medical staff restrictions at South Central Recovery Center Alcohol & Drug Dependency Treatment Unit, Laurel, Mississippi until November 2001.

V.

During November 2001, the Board received information indicating that on or about June 16, 2001, while on duty in the emergency room of Marion General Hospital, Columbia, Mississippi, a nurse smelled the strong odor of alcohol on Licensee. Another physician on call the same night also reported smelling the odor on alcohol on Licensee. In addition, on or about August 18, 2001, while on duty as hospital security at Marion General Hospital, a member of the hospital's security, Mr. Lanny Arinder, smelled the strong odor of alcohol on Licensee while he was working in the emergency room area. This later information, combined with the previous incidents of possible impairment by Licensee, while practicing medicine, prompted the Board to refer Licensee to the Examining Committee of the Mississippi Impaired Physician's Committee (MIPC) of the Mississippi Recovery Physician's Program. Licensee was ordered to appear before the MIPC to determine his ability to practice medicine with reasonable skill and safety to patients by reason of alcohol abuse or addiction.

VI.

On or about February 28, 2002, Licensee appeared before the MIPC and was evaluated for the purpose of determining mental fitness to practice medicine. It was the unanimous recommendation of the Committee that Licensee be closely monitored for one (1) year through random urine drug screens by the investigators of the Mississippi State Board of Medical Licensure. It was explained to Licensee if he should test positive,

or if any other complaints regarding smelling alcohol on his person are reported, he is to immediately go for a comprehensive inpatient evaluation at an approved facility and abide by evaluation recommendations. The Committee asked Licensee to remain abstinent from alcohol for one (1) year during this period of testing in order to clear him of any possible future problems. According to Gary Carr, M.D., Medical Director for the MIPC, Licensee was in agreement with all the Committee's recommendations, i.e., agreed to remain abstinent for one (1) year. During the hearing, Licensee recalled the MIPC as merely "recommending" abstinence.

VII.

Pursuant to the aforementioned agreement, Licensee was approached on June 21, 2002, while practicing medicine at the clinic of the Tallahatchie County Hospital, Charleston, Mississippi, and voluntarily submitted a urine sample to one of the investigators of the Board. An analysis of the urine specimen by the Analytical Toxicology Laboratory of the University of Mississippi Medical Center, established that the urine specimen was positive for ethanol, i.e., 28mg/dl. The urine specimen was collected at 10:35 in the morning, at a time when Licensee was treating patients.

VIII.

Pursuant to the aforementioned recommendations of the Examining Committee of the Mississippi Impaired Physicians Committee, Licensee voluntarily entered COPAC, Inc., Brandon, Mississippi, on August 13, 2002, for an inpatient evaluation for chemical dependency. COPAC, Inc., is a recognized evaluation and treatment facility for chemical dependency, specializing in physicians and other health care professionals, and is

approved by the Board for treatment and evaluation of physicians. The evaluation was completed on August 16, 2002. Lloyd Gordon, M.D., Medical Director for COPAC, gave the discharge diagnosis of "alcohol dependency" and "narcissistic features". Dr. Gordon stated, "I do not feel that the patient should practice medicine at this point in time until he has had adequate treatment for his alcohol dependence. The recommendations then are:

1. The patient will be referred back to the MS Recovering Physicians Program and MS State Board of Medical Licensure for options on treatment. The patient should be treated in a residential treatment facility that has experience in treating health care professionals.
2. The patient not practice medicine until he has been completed such a treatment and then cleared by the treatment monitoring board of the MS Recovering Physicians Program.
3. The patient participate in aftercare contract requiring health care professionals meetings, 12-Step support group meetings, and monitored urine drug screens after his discharge."

IX.

On August 19, 2002, a representative of the Board communicated with Licensee and provided him an opportunity to voluntarily enter treatment on a non-disciplinary basis. Notwithstanding the previous agreement to enter into treatment as recommended by the MIPC, Licensee declined to enter into treatment.

CONCLUSIONS OF LAW

Based upon the Findings of Fact as enumerated above, Licensee is guilty of violation of Subsection (8)(d) of Section 73-25-29 and Section 73-25-83(a), Miss. Code (1972) Annotated, as amended; as a result of Licensee being guilty of unprofessional conduct, which includes, but is not limited to, any dishonorable or unethical conduct likely

to deceive, defraud and harm the public. No judgment or opinion is hereby rendered as to guilt or innocence of the charge that Licensee has habitually used intoxicating liquors, or any beverage to an extent which affects his professional competency in the practice of medicine.

During the hearing, no evidence or testimony was entered indicating that a patient was harmed as a result of Licensee practicing medicine while under the influence of alcohol. Furthermore, Licensee introduced affidavits from a number of practitioners and other individuals who currently worked with Licensee attesting to his sobriety and ability to practice medicine with reasonable skills and safety to patients. Notwithstanding, the evidence has established a pattern of practicing medicine under circumstances suggesting consumption of alcohol, and on at least one occasion, practicing medicine while under the influence of alcohol. It was the considered opinion of Lloyd G. Gordon, M.D., Medical Director of COPAC, that Licensee is in need of comprehensive inpatient treatment for alcohol addiction. While the Board certainly agrees that such treatment would benefit Licensee and improve his quality of life, the Board will not impose treatment as a condition for continued licensure, provided he remains abstinent and receives psychotherapy as recommended by his current psychologist.

It is the opinion of this Board that early detection and intervention is in the best interest of the public. To practice medicine while under the influence of alcohol, with or without patient harm, is deemed unethical and unprofessional. Miss. Code Ann. Section 73-25-29(8)(d) specifically authorizes this Board to discipline licensees for any

unprofessional or unethical conduct "likely to harm the public." The Board finds that it does not have to wait for proof of actual patient harm to intervene and protect the public.

ORDER

IT IS HEREBY ORDERED, that based upon the Findings of Fact and Conclusions of Law enumerated above, the following restrictions are hereby placed on License No. 12613, issued to Thomas W. Grafton, D.O., to-wit:

1. Licensee shall immediately submit to the Board a Plan of Practice, setting forth his intended practice locations. If Licensee chooses to continue his emergency room coverage work, he shall provide the Board on a weekly basis, an itinerary setting forth the specific locations and times for each emergency room coverage. If, at such time Licensee chooses to practice at a permanent clinic or location, he shall provide the Board the exact location and date at which such practice will commence.
2. For the full duration of this Order, Licensee shall remain totally abstinent. That is, at no time shall Licensee consume or use alcohol or any intoxicating liquor in any form.
3. Licensee shall be subject to periodic, unannounced and witnessed breath, urine and/or blood serum screens by the investigative staff of the Board. It shall be the responsibility of Licensee to pay all costs associated with the breath/urine/blood screen program. Licensee shall fully and completely cooperate with any and all requests to submit to a breath, urine and/or blood

screen. Further, Licensee shall at no time refuse to submit to a breath, urine and/or blood screen or unreasonable delay in submitting same.

4. Licensee shall continue individual psychotherapy with a psychiatrist approved in advance and in writing by the Board. The approved psychiatrist shall provide the Board with quarterly progress reports as to psychotherapy. Although the quarterly progress reports will be sent directly to the Board by the psychiatrist, Licensee shall have the responsibility to insure that the reports are submitted.
5. Failure to comply with any of the preceding requirements shall constitute a violation of this Order, and shall subject Licensee to further disciplinary action by the Board, which may include suspension of Licensee's certificate to practice medicine for any length or period of time deemed proper by this Board.

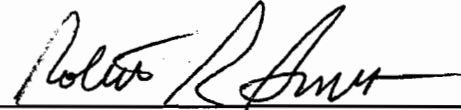
IT IS FURTHER ORDERED that upon expiration of two (2) years from the date of this Order, Licensee may petition the Board for release of any or all of the aforementioned restrictions.

IT IS FURTHER ORDERED, that pursuant to Section 73-25-27, a copy of this Determination and Order shall be sent by registered mail, or personally served upon Thomas W. Grafton, D.O. Because Dr. Grafton was informed of this decision following Board deliberations, the Order shall be given immediate effect.

SO ORDERED, this the 31st day of October, 2002.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY:



**ROBERT RAY SMITH, M.D.
PRESIDENT**

NOVEMBER 2002

**MINUTES
EXECUTIVE COMMITTEE MEETING
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
NOVEMBER 20, 2002**

MEMBERS PRESENT:

Robert Ray Smith, M.D., Jackson, President
Dewitt G. Crawford, M.D., Louisville, Vice President
William B. Harper, D.O., Greenwood, Secretary
W. Joseph Burnett, M.D., Director

ALSO PRESENT:

Charles Moses, Division Director II, Investigative Division
Rhonda Freeman, Division Director II, Licensure Division
Kathy Fortenberry, Administrative Assistant
Frances Scott, Special Projects Officer, Investigative Division

The Executive Committee of the Mississippi State Board of Medical Licensure met on Wednesday, November 20, 2002, at 2:05 p.m. in the Executive Conference Room of the Office of the Board located at 1867 Crane Ridge Drive, Jackson, Mississippi. Dr. Burnett opened the meeting with prayer.

**PERSONAL APPEARANCE BY J. MICHAEL STOKES, D.O., GREENWOOD,
MISSISSIPPI MEDICAL LICENSE NUMBER 13354**

Dr. Burnett reviewed Dr. Stokes' background and history leading to the disciplinary action taken on his medical license and advised that Dr. Stokes had relapsed. It was his recommendation to extend Dr. Stokes' Consent Order.

Dr. Stokes joined the meeting but was not represented by legal counsel. He executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference. Gary D. Carr, M.D., Medical Director, Mississippi Recovering Physicians Program, was also present. Both answered questions from the Executive Committee members.

Dr. Burnett and Mr. Moses reviewed a proposed Consent Order. Since he works in the emergency room, Dr. Stokes requested that he be allowed to prescribe or to order controlled substances to patients who have been admitted to the emergency room. Motion was made by Dr. Crawford, seconded by Dr. Smith, and carried to accept the Consent Order with the changes requested by Dr. Stokes, a copy of which is attached hereto and incorporated by reference.

EXECUTIVE COMMITTEE MINUTES

November 20, 2002

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PERSONAL APPEARANCE BY TIMOTHY EVANS WHITTLE, M.D., HATTIESBURG, MISSISSIPPI MEDICAL LICENSE NUMBER 11439

Dr. Burnett reviewed Dr. Whittle's background prior to Dr. Whittle joining the meeting, after which Dr. Whittle, Dr. Carr, and Stephen M. Wilson, Esq., Jackson, joined the meeting. Dr. Whittle executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

Dr. Burnett reviewed the report from Professional Renewal Center, Lawrence, Kansas, and the proposed Consent Order. Dr. Whittle and Dr. Carr addressed the group and answered questions from the Executive Committee members.

Dr. Whittle asked for some time to review the Consent Order and for making a decision regarding this. Motion was made by Dr. Crawford, seconded by Dr. Harper, and carried unanimously to accept the Consent Order if Dr. Whittle decides to execute it. If so, the Consent Order will be presented at the next Board meeting.

PERSONAL APPEARANCE BY FREEMAN THOMAS BENNETT, M.D., JACKSON, TO REQUEST REINSTATEMENT OF LICENSE, MISSISSIPPI MEDICAL LICENSE NUMBER 14442

Dr. Burnett reviewed Dr. Bennett's background prior to Dr. Bennett joining the meeting, after which Dr. Bennett and Dr. Carr joined the meeting. Dr. Bennett executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference. Dr. Bennett and Dr. Carr addressed the Executive Committee and answered questions from members. Dr. Bennett advised that he was considering a residency or fellowship training or some type of non-patient-contact medicine.

Motion was made by Dr. Crawford, seconded by Dr. Harper, and carried unanimously to reinstate Dr. Bennett's license, subject to an amended Recovery Contract Agreement with the Mississippi Recovering Physicians Program. The amended Recovery Contract Agreement would include not practicing in a solo setting and developing a practice plan, which would be approved by the Board and the Mississippi Impaired Physicians Committee. The Order of the Board is attached hereto and incorporated by reference.

EXECUTIVE COMMITTEE MINUTES

November 20, 2002

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**REPORT FROM EXAMINING COMMITTEE ON VAN LEMUEL LACKEY, M.D.,
MISSISSIPPI MEDICAL LICENSE NUMBER 06430**

Dr. Burnett reviewed the Examining Committee's report on Dr. Lackey and a letter from Dr. Carr with the recommendations of the Mississippi Impaired Physicians Committee. Motion was made by Dr. Smith, seconded by Dr. Crawford, and carried unanimously to issue a Board Order accepting these recommendations. The following will be included: (1) Licensee shall remain abstinent from use of any mood altering substance or alcohol for a minimum period of two years; (2) completion of a Board approved course on prescribing controlled substances and other medications; (3) recommended that Licensee submit to on-going counseling with a psychiatrist approved by the Board knowledgeable in the areas of addiction and personality disorders; and (4) periodic, unannounced and witnessed urine and/or blood serum screens by the Investigative Staff of the Board for a period of at least two years. The Order Accepting in Part the Recommendations of Examining Committee is attached hereto and incorporated by reference.

OTHER BUSINESS

Dr. Burnett distributed copies of a letter from Dr. Carr, voicing the concern of the Mississippi Impaired Physicians Committee regarding the hearing of Thomas Grafton, D.O. Dr. Carr and the Executive Committee members discussed this. The Executive Committee members asked that Dr. Carr relate to the Mississippi Impaired Physicians Committee that the Board is trying to deal with each on a case-by-case basis.

**SUMMONS AND AFFIDAVIT - HAROLD JOHN WHEELER, M.D., GREENWOOD,
MISSISSIPPI MEDICAL LICENSE NUMBER 10035**

Dr. Burnett advised that Dr. Wheeler had been served with a Summons and Affidavit for the November 21, 2002, Board meeting and that he has received a stay on his incarceration. Motion was made by Dr. Crawford, seconded by Dr. Smith, and carried unanimously to place the pending matter in abeyance pending his appeal. The Order of Abeyance is attached hereto and incorporated by reference.

EXECUTIVE COMMITTEE MINUTES

November 20, 2002

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APPOINTMENT OF DR. MIKE BYERS, JACKSON, TO MISSISSIPPI IMPAIRED PHYSICIANS COMMITTEE

Dr. Burnett presented a letter from Dr. Carr requesting that Dr. Mike Byers, Jackson, be appointed as a member of the Mississippi Impaired Physicians Committee. Motion was made by Dr. Crawford, seconded by Dr. Smith, and carried unanimously to approve this appointment.

Dr. Smith advised that James Stout, M.D., Jackson, had expressed an interest to him in working with the Board or the Recovering Physicians Program.

BOARD APPOINTMENT

Dr. Burnett advised that Dwalia S. South, M.D., Ripley, had been appointed by Governor Ronnie Musgrove to complete the term of William H. Henderson, M.D., Oxford. This appointment will expire June 30, 2006. Dr. South will be sworn in at the next Board meeting.

SECTION 73-25-28 - DETERMINATION OF REASONABLE CAUSE AND AUTHORITY TO INSPECT AND COPY RECORDS

Neil Breeland, Board Investigator, reviewed affidavits in support of a request for the inspection and copying of certain records pursuant to Miss. Code Ann. Section 73-25-28. Mr. Breeland stated that he needed records from five different locations in the investigation of Lane C. Rolling, D.P.M. Upon review of the affidavits and considering all matters, it was the finding of the Committee that reasonable cause existed to conduct the inspection, whereupon members of the Committee executed a Determination of Reasonable Cause and Authority to Inspect and Copy Records.

COMMENTS ON *RELEASE OF MEDICAL RECORDS REGULATION*

Copies of a letter from Bill Kindred, Bureau Director, Mississippi Department of Rehabilitation Services, concerning the amended regulation was presented to the Executive Committee for their review. Mr. Kindred expressed concern that the fee increase as proposed in the regulation might hinder their agency's efforts to obtain medical records since the agency has a fixed fee, which is set by the legislature in their budget. He also pointed out this would affect other state and federal agencies.

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Mrs. Freeman presented a proposed amendment, which would exclude federal or state agencies providing benefit programs. Motion was made by Dr. Crawford, seconded by Dr. Smith, and carried unanimously to approve the proposed amendment. A copy of the proposed amendment is attached hereto and incorporated by reference. This will be presented at the next Board meeting for final adoption.

Dr. Burnett reported that he and Stan Ingram, Board attorney, had met earlier in the day with three representatives from the Mississippi Bar Association concerning this regulation. Mr. Ingram is working on some possible changes and will bring it back to the full Board.

2003 LEGISLATION


The following items were discussed for legislative introduction in 2003: fingerprinting; amendment to allow for on-line renewal; definition of medical practice; limited faculty license; amendment to §41-29-133, Records and Inventories; and amendment to §73-25-85, Appointment by Board of Physicians to Investigate Professional Competency of Physician.

BOARD AGENDAS ON CD

Dr. Burnett and Mrs. Freeman briefly discussed the savings to the Board if the Board agendas were distributed to members on a CD. This will be presented to the full Board at their next meeting.

ADJOURNMENT

There being no further business, the meeting adjourned at 4:15 p.m.



Robert Ray Smith, M.D.
President

Minutes taken and transcribed
by Kathy Fortenberry
Administrative Assistant
November 20, 2002

AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE

I, Michael Stokes, have requested an opportunity to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss possible resolution of a pending disciplinary matter/investigation or to respond to a complaint duly received by the Board. It is the purpose of the informal meeting to discuss the facts of the case, to give me an opportunity to ask questions of the Committee or its staff, and to give the Committee or its staff an opportunity to ask questions of me. Because the meeting is informal, no disciplinary action will be taken without my express written consent. In so doing, I have been advised and understand the following:

1. During the meeting, the Executive Committee may or may not be represented by legal counsel. Notwithstanding, I understand that I have a right, if I so choose, to employ legal counsel and have counsel present during the informal meeting.
2. I authorize the Committee Members to review and examine any statements, documentary evidence, or materials concerning the allegations during my informal appearance.
3. Because the purpose of my appearance is to avoid a hearing before the Board, I agree that presentation to and consideration by the Committee of any facts, matters, and documents pertaining to my case shall not unfairly or illegally prejudice the Committee members from further participation or consideration in the event a formal disciplinary hearing is later conducted. Stated differently, in the event the pending matter is not resolved following my appearance before the Committee, I will not object to any of the Committee members from further participating in subsequent meetings or hearings that may be conducted in relation to this matter.
4. By signing my name in the space provided below, I hereby authorize the Executive Committee to proceed with the informal appearance, subject to the stipulations and understandings as noted above. I have elected to proceed:

with legal counsel present (name of counsel: _____)

without legal counsel present

EXECUTED, this the 20TH day of November, 2002.



Witness: _____

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
IN THE MATTER OF THE PHYSICIAN'S LICENSE

OF

J. MICHAEL STOKES, D.O.

CONSENT ORDER

WHEREAS, J. Michael Stokes, D.O., hereinafter referred to as "Licensee," is the current holder of License No. 13354 for the practice of medicine in the State of Mississippi;

WHEREAS, on March 12, 1998, Licensee entered into a Consent Order with this Board as a result of an investigation establishing that Licensee suffered from chemical dependency. The Consent Order imposed on Licensee the usual and customary restrictions found necessary to maintain Licensee's sobriety;

WHEREAS, on July 28, 1999, the Board received an Analytical Toxicology Report from the UMC Toxicology Laboratory dated July 26, 1999. Said report indicated confirmed positive results for Ultram (Tramadol) and Norpropoxyphene, a metabolite for Propoxyphene (Darvocet/Darvon);

WHEREAS, on August 29, 1999, information was provided to the Board by the Mississippi Recovering Physicians Program, indicated Licensee had been admitted to Next Step/Pine Grove Recovery Center for relapse of his substance dependence;

WHEREAS, Licensee completed recommended treatment and was discharged October 29, 1999;

WHEREAS, on May 25, 2000, the Board received an Analytical Toxicology Report from the UMC Toxicology Laboratory. Said report indicated confirmed positive results for Propoxyphene and Norpropoxyphene, a metabolite of Propoxyphene (Darvocet/Darvon);

WHEREAS, on June 6, 2000, MRPP Medical Director, Gary Carr, M.D., advised the Board in a letter that Dr. Stokes would not benefit from further treatment and MRPP will enforce a tighter monitoring contract with more frequent urine screens;

WHEREAS, on April 5, 2002, the Board received an Analytical Toxicology Report from the UMC Toxicology Laboratory dated April 1, 2002. Said report indicated confirmed positive results for Ultram (Tramadol);

WHEREAS, on April 9, 2002, the Board received the Professional Recovery Network urine screen report collected on April 2, 2002. Said report indicated confirmed positive results for Propoxyphene (Darvocet/Darvon);

WHEREAS, Licensee has completed recommended treatment with the Intensive Outpatient Program at COPAC and was discharged October 8, 2002;

WHEREAS, the Mississippi State Board of Medical Licensure, hereinafter referred to as "the Board," has investigated the medical practice of Licensee and has determined that Licensee is in violation of Mississippi Code Annotated § 73-25-29 (1), setting forth as grounds for suspension, revocation or restriction of a medical license, the habitual personal use of narcotic drugs or other drugs having addiction-forming or addiction-sustaining liability

NOW, THEREFORE, Licensee does hereby consent to and requests the Board to indefinitely suspend his license to practice medicine in the State of Mississippi with the

order of suspension stayed based on the following probationary terms and conditions to run until ordered otherwise by the Board:

1. Licensee shall continue to have no privileges to handle or prescribe controlled substances listed in Schedules II, IIN, III, IIIN, and IV, or any drug hereafter placed in said Schedules. Licensee shall retain privileges in Schedule V except for the drugs Buprenex (Buprenorphine). As a result, Licensee shall not be permitted to order, manufacture, distribute, possess, dispense, administer or prescribe any controlled substances in said Schedules until such time as he is again properly registered with the U.S. Drug Enforcement Administration with prior written approval from the Mississippi State Board of Medical Licensure.
2. Licensee shall be authorized to utilize the Uniform Controlled Substances Registration Certificate of any licensed hospital in the State of Mississippi. Licensee shall be allowed to prescribe or order controlled substances in all Schedules which are to be dispensed or administered to patients that have been admitted to the emergency room or as in-patients to said licensed hospital in the State of Mississippi. Any prescriptions issued under the authority of the hospital's DEA registration will be limited to a three (3) day supply of medication. Further, Licensee shall on a monthly basis submit to the Executive Director, a log indicating all patients who were issued prescriptions by him for controlled substances. Said log shall identify the patient only by medical record number. Licensee shall not be authorized to personally administer or dispense any

drug having addiction-forming or addiction-sustaining liability to any patient.

3. Licensee's use of the medications Ultram (Tramadol HCL), Nubain (Nalbuphine), Soma (Carisoprodol) or Butalbital products shall be limited to prescribing or ordering for administering or dispensing to patients that have been admitted to the emergency room or as in-patients to a licensed hospital in the State of Mississippi. No more than a three (3) day supply shall be prescribed and any prescriptions for said medications shall be included and reported on the same log and in the same manner as provided for controlled substance prescriptions in Paragraph 2 above. Licensee shall not be allowed to personally administer or dispense any of the aforesaid medications.
4. Licensee shall be prohibited from ordering, obtaining, possessing, administering, or dispensing any sample medication in Schedule III, IIIN, IV and V, or any sample product containing Butalbital, Carisoprodol or Ultram (Tramadol HCL).
5. Licensee shall maintain affiliation with the Mississippi Recovering Physicians Program (MRPP). Licensee shall comply with all affiliation requirements of the MRPP, its Medical Director or the Mississippi Impaired Physician's Committee (MIPC). Licensee hereby authorizes the Board, its Director or Investigative Staff to contact and communicate with the MRPP, MIPC, or any agent or representative of said organizations as to all aspects of his affiliation and/or recovery.

Reciprocally, Licensee hereby authorizes the MRPP and MIPC, its agents, representatives or employees to communicate with the Board as to all aspects of his affiliation and/or recovery.

6. Licensee shall totally abstain from the use of any alcoholic or intoxicating beverage, and shall not prescribe, dispense or administer to himself or family members any controlled substances or other drugs having addiction-forming or addiction-sustaining liability.
7. For an indefinite period of time, Licensee shall submit to random, unannounced and witnessed urine and/or blood screens to determine the presence of any mood altering drugs, and/or alcohol with the collection and submission to be determined and monitored by the Executive Director of the Mississippi State Board of Medical Licensure. Licensee shall be responsible for all costs and expenses incurred in relation to the urine and/or blood screens. Upon request of the Board, Licensee shall provide to the Board a monthly work itinerary at the beginning of each month for the purpose of compliance with urine screen monitoring.
8. Licensee shall obtain the services of a physician, approved by the Board, for treatment of simple illnesses and similar medical conditions for himself. Licensee shall not treat himself or family members. Additionally, Licensee shall provide the Board with an authorization to obtain medical information for the purpose of monitoring any treatment that Licensee may receive from said treating physician. In the event a physician determines that it is necessary to administer, dispense or prescribe to

Licensee any drug having addiction-forming or addiction-sustaining liability, the treating physician shall so notify the Board's Executive Director in writing. This notification shall be a letter written on the treating physician's letterhead and shall be mailed to the attention of the Board's Executive Director. Said notification shall be mailed within twenty-four (24) hours after the administration, dispensing or prescribing of said medication. This requirement shall also apply to any care rendered to Licensee by a dentist. The responsibility to ensure that the treating physician or dentist files the required notification rests solely with Licensee. Unless being treated in an emergency situation, Licensee shall not receive any controlled substances or drugs having addiction-forming or addiction-sustaining liability from any source other than the treating physician or dentist.

9. Licensee shall not administer, dispense or prescribe to himself or family members any drug having addiction-forming or addiction-sustaining liability. Licensee shall refrain from ingesting any food product, alcohol, or over-the-counter drug likely to cause a confirmed positive test result of the urine screen analysis. Any confirmed positive test result, not in accordance with Paragraph (8) of this Order, shall be considered a violation subject to Board action.
10. During each year of probation, Licensee shall obtain forty (40) hours of Continuing Medical Education (CME) approved by the American Medical Association in the area of Family Medicine with emphasis on use of

controlled substances. Following completion of each course, Licensee shall submit to the Board documentary proof of successful completion.

11. Licensee shall obey all federal, state and local laws, and all rules governing the practice of medicine, and shall comply with the Rules and Regulations of the Board, "Pertaining to Prescribing, Administration and Dispensing of Medication." Licensee shall thoroughly familiarize himself with said rules and regulations and shall so indicate to the Board in writing.
12. In the event Licensee should leave Mississippi to reside or to practice outside the State, Licensee shall, within ten (10) days prior to departing, notify the Board in writing the dates of departure and return. Periods of residency or practice outside Mississippi will not apply to the reduction of time periods specified in this Consent Order.
13. In the event Licensee fails to comply with all conditions imposed on him by MRPP or this Consent Order, Licensee shall be prohibited from practicing medicine until such time as a determination is made by the Board that Licensee is again ready to return to the practice of medicine. Summary suspension pursuant to this paragraph shall be for an indefinite period of time, notwithstanding any term or right to petition for reinstatement provided herein.

Licensee shall have the right to petition the Mississippi State Board of Medical Licensure for release of any or all above enumerated conditions after expiration of one (1) year from the effective date hereof. Thereafter, any right to petition the Board for

reconsideration shall be at reasonable intervals, but not less than twelve (12) months from date of last appearance.


This Consent Order shall be subject to approval by the Board. If the Board fails to approve this Consent Order, in whole or in part, it shall have no force or effect on the parties. It is further understood and agreed that the purpose of this Consent Order is to avoid a hearing before the Board. In this regard, Licensee authorizes the Board to review and examine any documentary evidence or material concerning the Licensee prior to or in conjunction with its consideration of this Consent Order. Should this Consent Order not be accepted by the Board, it is agreed that presentation to and consideration of this Consent Order and other documents and matters pertaining thereto by the Board shall not unfairly or illegally prejudice the Board or any of its members from participation in any further proceedings.

Licensee understands and expressly acknowledges that this Consent Order, if approved and executed by the Mississippi State Board of Medical Licensure, shall constitute a public record of the State of Mississippi. Licensee further acknowledges that the Board shall provide a copy of this Order to, among others, the U.S. Drug Enforcement Administration, and the Board makes no representation as to action, if any, which the U. S. Drug Enforcement Administration may take in response to this Order.

Recognizing his right to notice of charges specified against him, to have such charges adjudicated pursuant to Miss. Code Ann. Section 73-25-27 (1972), to be represented therein by legal counsel of his choice, and to a final decision rendered upon written findings of fact and conclusions of law, J. Michael Stokes, D.O., nonetheless, hereby waives his right to notice and a formal adjudication of charges and authorizes the Board to enter an order accepting this Consent Order, thereby indefinitely suspending his license to practice medicine in the State of Mississippi, staying the suspension and placing his license on probation subject to those terms and conditions enumerated above.

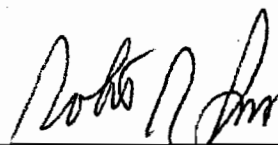
Signed this the 21 day of November, 2002.

Witness



J. Michael Stokes, D.O.

ACCEPTED AND APPROVED, This the 20th day of November, 2002, by the Mississippi State Board Of Medical Licensure.



Robert Ray Smith, M.D.
Mississippi State Board Of
Medical Licensure

AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE

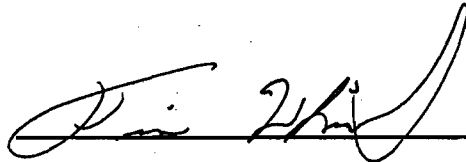
I, Tim Whittle, have requested an opportunity to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss possible resolution of a pending disciplinary matter/investigation or to respond to a complaint duly received by the Board. It is the purpose of the informal meeting to discuss the facts of the case, to give me an opportunity to ask questions of the Committee or its staff, and to give the Committee or its staff an opportunity to ask questions of me. Because the meeting is informal, no disciplinary action will be taken without my express written consent. In so doing, I have been advised and understand the following:

1. During the meeting, the Executive Committee may or may not be represented by legal counsel. Notwithstanding, I understand that I have a right, if I so choose, to employ legal counsel and have counsel present during the informal meeting.
2. I authorize the Committee Members to review and examine any statements, documentary evidence, or materials concerning the allegations during my informal appearance.
3. Because the purpose of my appearance is to avoid a hearing before the Board, I agree that presentation to and consideration by the Committee of any facts, matters, and documents pertaining to my case shall not unfairly or illegally prejudice the Committee members from further participation or consideration in the event a formal disciplinary hearing is later conducted. Stated differently, in the event the pending matter is not resolved following my appearance before the Committee, I will not object to any of the Committee members from further participating in subsequent meetings or hearings that may be conducted in relation to this matter.
4. By signing my name in the space provided below, I hereby authorize the Executive Committee to proceed with the informal appearance, subject to the stipulations and understandings as noted above. I have elected to proceed:

with legal counsel present (name of counsel: STEPHEN M. WILSON)

without legal counsel present

EXECUTED, this the 20 day of Nov., 2002.



Witness: _____

AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE

I, _____, have requested an opportunity to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss possible resolution of a pending disciplinary matter/investigation or to respond to a complaint duly received by the Board. It is the purpose of the informal meeting to discuss the facts of the case, to give me an opportunity to ask questions of the Committee or its staff, and to give the Committee or its staff an opportunity to ask questions of me. Because the meeting is informal, no disciplinary action will be taken without my express written consent. In so doing, I have been advised and understand the following:

1. During the meeting, the Executive Committee may or may not be represented by legal counsel. Notwithstanding, I understand that I have a right, if I so choose, to employ legal counsel and have counsel present during the informal meeting.
2. I authorize the Committee Members to review and examine any statements, documentary evidence, or materials concerning the allegations during my informal appearance.
3. Because the purpose of my appearance is to avoid a hearing before the Board, I agree that presentation to and consideration by the Committee of any facts, matters, and documents pertaining to my case shall not unfairly or illegally prejudice the Committee members from further participation or consideration in the event a formal disciplinary hearing is later conducted. Stated differently, in the event the pending matter is not resolved following my appearance before the Committee, I will not object to any of the Committee members from further participating in subsequent meetings or hearings that may be conducted in relation to this matter.
4. By signing my name in the space provided below, I hereby authorize the Executive Committee to proceed with the informal appearance, subject to the stipulations and understandings as noted above. I have elected to proceed:

with legal counsel present (name of counsel: _____)

without legal counsel present

EXECUTED, this the 20 day of November, 2002.

Freeman Bennett

Witness: _____

**BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
IN THE MATTER OF THE PHYSICIAN'S LICENSE**

OF

FREEMAN THOMAS BENNETT, M.D.

ORDER REMOVING ALL RESTRICTIONS


THIS MATTER came on regularly for consideration on November 20, 2002, before the Executive Committee of the Mississippi State Board of Medical Licensure, in response to the request of Freeman Thomas Bennett, M.D. (hereinafter "Licensee"), seeking authorization to return to the practice of medicine. By virtue of that certain Consent Order dated May 18, 2001, Licensee's certificate to practice medicine was suspended until such time as he (1) successfully completed treatment, (2) obtain affiliation with the Mississippi Recovering Physicians Program (MRPP), and (3) obtain advocacy with said Program. All prerequisites have now been met. Therefore, the Executive Committee of the Board, after hearing said request, finds the same to be well-taken.

IT IS HEREBY ORDERED, that Licensee's request for authorization to return to the practice of medicine is hereby granted, effective December 1, 2002. Licensee now holds an unrestricted license to practice medicine in the State of Mississippi. Pursuant to the recommendation of the MRPP, Licensee will execute a non-disciplinary Recovery Contract Agreement (RCA) with this Board and the Mississippi Impaired Physicians Committee (MIPC).

IT IS FURTHER ORDERED, that pursuant to Miss. Code Ann. Sections 73-25-27 and 73-25-32 (1972), a copy of this Order shall be sent by registered mail or personally served upon Freeman Thomas Bennett, M.D.

ORDERED, this the 20th day of November, 2002.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**



**BY: _____
ROBERT RAY SMITH, M.D.
PRESIDENT**

**BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
IN THE MATTER OF THE PHYSICIAN'S LICENSE**

OF

VAN LACKEY, M.D.

**ORDER ACCEPTING IN PART
THE RECOMMENDATIONS OF EXAMINING COMMITTEE**

THIS MATTER came on regularly for consideration on November 20, 2002, before the Executive Committee of the Mississippi State Board of Medical Licensure, in response to the referral and examination of Van Lackey, M.D., hereinafter "Licensee", by the Examining Committee designated pursuant to the Mississippi Disabled Physician Law, Miss. Code Ann. Sections 73-25-51, et seq. The examination of Licensee was conducted on November 6, 2002, at the offices of the Mississippi State Medical Association. The examiners were George Wilkerson, M.D., Chairman, Ken Cronin, M.D., and Jim House, M.D. Licensee presented himself for examination as instructed, and was assisted by his attorney, Mr. Ed Brunini. Because of alcohol abuse and diversion of controlled substances, it was the opinion of the Committee that Licensee should be engaged in a recovering physicians program, specifically attending Caduceus meetings on a weekly basis and enter into a monitoring program for an extended length of time to be determined by the Recovering Physicians Therapeutic Committee. Following the examination, however, the Board was in receipt of a letter dated November 20, 2002, from the Mississippi Recovering Physicians Program (MRPP), advising the Board that the Program did not believe it could effectively serve as an appropriate monitoring or advocacy vehicle for Licensee. It was, however, the recommendations of the MRPP that Dr. Lackey attend a Board approved prescribing course, receive on-going counseling with a psychiatrist acceptable to the Board knowledgeable in addiction and personality disorders, and be monitored by the Board investigators for alcohol and drug screens for a period of at least two (2) years.

The Executive Committee of the Board recognizes that the recommendations of the Examining Committee pursuant to Miss. Code Ann. Section 73-25-61 is advisory only and is not binding. Notwithstanding, after consideration of the recommendations, the Executive Committee finds the recommendations to be well taken, in part;

THEREFORE, IT IS HEREBY ORDERED, that Licensee be permitted to continue to practice medicine in the State of Mississippi, but subject to the following minimal conditions, which if agreed to by Licensee shall be deemed non-disciplinary and non-reportable, to wit:

1. Licensee shall remain abstinent from use of any mood altering substance or alcohol for a minimum period of two (2) years. At no time shall Licensee consume or use alcohol or any intoxicating liquor in any form.
2. Licensee shall successfully complete a Board approved course on prescribing controlled substances and other medications.
3. It is recommended that Licensee submit to on-going counseling with a psychiatrist approved by the Board knowledgeable in the areas of addiction and personality disorders.
4. Licensee shall be subject to periodic, unannounced or witnessed urine and/or blood serum screens by the investigative staff of the Board for a period of at least two (2) years. It shall be the responsibility of Licensee to pay all costs associated with the urine/blood screen program. Licensee shall fully and completely cooperate with any and all requests to submit urine and/or blood screens. Further, Licensee shall at no time refuse to submit a urine and/or blood screen or unreasonably delay in submitting same.

IT IS FURTHER ORDERED, in the absence of a voluntary agreement by Licensee to comply with the aforementioned non-disciplinary conditions, pursuant to Miss. Code Ann. Section 73-25-63(3), Licensee shall be entitled to a hearing and formal proceedings

before the Board and a determination on the evidence as to whether or not restrictions, suspension or revocation of his license shall be imposed.

IT IS FURTHER ORDERED, that pursuant to Miss. Code Ann. Sections 73-25-27 and 73-25-32 (1972), a copy of this Order shall be sent by registered mail or personally served upon Van Lackey, M.D.

ORDERED, this the 20th day of November, 2002.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**



**BY: ROBERT RAY SMITH, M.D.
PRESIDENT**

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF PHYSICIAN'S LICENSE

OF

HAROLD J. WHEELER, M.D.

ORDER OF ABEYANCE

THIS MATTER came on regularly for hearing on November 20, 2002, before the Executive Committee of the Mississippi State Board of Medical Licensure, in response to a request for continuance of the hearing set for November 21, 2002, by Harold J. Wheeler, M.D. (hereinafter "Licensee"). On September 19, 2001, a federal grand jury of the United States District Court for the Northern District of Mississippi, returned a four (4) count indictment against Licensee in Case Number 4:01cr109, charging Licensee with violation of Sections 2 and 1001 (a)(1)(2) of Title 18, United States Code. Following a trial by jury, Licensee was found guilty of one (1) count of the aforementioned four (4) count indictment. Licensee was sentenced by the U.S. District Court on September 10, 2002, to serve a period of eighteen (18) months confinement in a federal correctional facility. Licensee thereafter obtained a court order placing in abeyance any incarceration based on the merits of Licensee's appeal. On the same basis, Licensee now requests the Board to continue this hearing.

The motion was presented on behalf of Licensee in absentia by W. Joseph Burnett, M.D., the Board's Executive Director, setting forth good and just cause for the continuance. After consideration of the matter, the Executive Committee finds Licensee's motion to be


well taken. In view of the fact that no definite hearing date can be set, the Committee believes the matter should be placed in abeyance pending a determination of the outcome of Licensee's appeal from his criminal conviction.

IT IS, THEREFORE, ORDERED, that this matter is placed in abeyance pending a determination of the outcome of Licensee's appeal from the September 10, 2002, conviction order rendered by the U.S. District Court. Upon receipt of an order or other evidence of disposition, the matter will be set for the next regularly scheduled meeting of the Board.

SO ORDERED, this the 20th day of November, 2002.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY:



**ROBERT RAY SMITH, M.D.
PRESIDENT**

XII. RELEASE OF MEDICAL RECORDS

C. TRANSFER OF PATIENT RECORDS TO ANOTHER PHYSICIAN

A physician who formerly treated a patient shall not refuse for any reason to make the information contained in his medical records of that patient available upon request by the patient or legal representative of the patient, to another physician presently treating the patient. The physician has a right to request a written release from the patient or legal representative of the patient, authorizing the transfer prior to transfer of said documents. Upon receipt of the written release and authorization, the physician must tender either a copy of said documents or a narrative summary of the same to the other physician within a reasonable period of time. Transfer of said documents shall not be withheld because of an unpaid bill for medical services, but the physician is entitled to reasonable compensation paid in advance for any copy expenses. The maximum copying charge is twenty dollars (\$20) for up to 20 pages and one dollar (\$1.00) per page for 21 or more pages.

D. RELEASE OF PATIENT RECORDS TO PATIENT

A physician shall, upon request of the patient or patient's legal representative, provide either a copy of a patient's medical record or a narrative summary of the same to the patient or to the patient's legal representative; provided, however, where release of psychiatric/psychological records directly to a patient would be deemed harmful to the patient's mental health or well-being, the physician shall not be obligated to release said records directly to the patient, but shall, upon request, release the same to the patient's legal representative. The physician has a right to request a written authorization prior to release of said documents. Upon receipt of the written release and authorization, the physician must tender either a copy of said documents or a narrative summary of the same to the patient or to the patient's legal representative within a reasonable period of time. Transfer of said documents shall not be withheld because of an unpaid bill for medical services, but the physician is entitled to reasonable compensation paid in advance for any copy expenses. The maximum copying charge is twenty dollars (\$20) for up to 20 pages and one dollar (\$1.00) per page for 21 or more pages.

E. ADMINISTRATIVE FEES

The Board of Medical Licensure will not prohibit any Licensee from charging an additional administrative fee of \$25 associated with retrieving records for copying for medical referrals or transfer of records to another

physician for health care. On requests for administrative, investigative, or informational purposes, the charge may be determined at the discretion of the physician, not to exceed \$100.

F. EXCLUSION

Federal or state agencies providing benefit programs are excluded from the above stated fees. Records that are requested by state or federal agencies for said benefit programs shall pay an acceptable rate as established by the requesting federal or state agency.

G. VIOLATION OF REGULATIONS

A refusal by a physician to release patient records as enumerated above shall constitute unprofessional conduct, dishonorable or unethical conduct likely to deceive, defraud or harm the public in violation of Mississippi Code (1972) Annotated, Section 73-25-29(8)(d), as amended.

NOVEMBER 2002

**EXECUTIVE COMMITTEE
MEETING ONLY**