

EXECUTIVE COMMITTEE

INDEXES

2014

**MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
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**BOARD
INDEXES
2014**

**MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
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JANUARY 2014

**MINUTES
EXECUTIVE COMMITTEE MEETING
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
JANUARY 15, 2014**

MEMBERS PRESENT:

S. Randall Easterling, M.D., Vicksburg, President
Virginia M. Crawford, M.D., Hattiesburg, Vice President
Larry B. Aycock, M.D., McComb, Secretary

ALSO PRESENT:

H. Vann Craig, M.D., Director
Stan T. Ingram, Complaint Counsel for the Board
Rhonda Freeman, Bureau Director, Licensure Division
Thomas Washington, Bureau Director, Investigative Division
Leslie Ross, Investigations Supervisor
Frances Carrillo, Special Projects Officer, Investigative Division
Sherry H. Pilgrim, Staff Officer

NOT PRESENT:

Ellen O'Neal, Assistant Attorney General

The Executive Committee of the Mississippi State Board of Medical Licensure met on Wednesday, January 15, 2014, at 1:25 p.m. in the Board Room of the Office of the Board located at 1867 Crane Ridge Drive, Jackson, Mississippi.

PERSONAL APPEARANCE BY DAVID M. KENT, D.O., TROY, MI, APPLICANT

Due to the weather conditions in Michigan the last few weeks, Dr. Kent had called and requested that his appearance be continued until the March Executive Committee meeting. The Executive Committee unanimously agreed to delay Dr. Kent's personal appearance until March.

PERSONAL APPEARANCES BY MATTHEW BARFIELD, D.O., PASCAGOULA, MISSISSIPPI MEDICAL LICENSE NUMBER 21401 AND ALLISON GARSTECKI, PA-C, PASCAGOULA, PA 000173

Dr. Craig advised that Dr. Barfield and Ms. Garstecki had been invited to the Executive Committee meeting to address the issue that Ms. Garstecki had been allowed to practice in Dr. Barfield's clinic without Ms. Garstecki having a duly executed protocol approved by the Board.

EXECUTIVE COMMITTEE MINUTES

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Dr. Barfield and Ms. Garstecki joined the Executive Committee meeting and were introduced along with their attorney, Whitman Johnson. Dr. Barfield and Ms. Garstecki had executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

Mr. Johnson addressed the Executive Committee and advised that this was not done intentionally and covered a revised policy/procedure that has been put in place in their office to ensure that this would not occur in the future. Mr. Johnson advised that the protocol was signed by the PA but was never sent to the Board for approval.

Following several questions from the Executive Committee, motion was made by Dr. Crawford, and seconded by Dr. Aycock that the Executive Committee enter into Executive Session to discuss a matter which could possibly result in disciplinary action.

Following a motion by Dr. Crawford, seconded by Dr. Aycock, the Executive Committee came out of Executive Session at which time Dr. Easterling asked Dr. Aycock to report on the decision. Dr. Aycock advised that the unanimous decision is to issue Dr. Barfield and Ms. Garstecki a Non-Public Letter of Concern addressing their failure to comply with the Board's rules and regulations after requesting approval from the Full Board on Thursday.

PERSONAL APPEARANCE BY KURT ALAN BUECHLER, M.D., RIDGELAND, MISSISSIPPI MEDICAL LICENSE NUMBER 13984

Dr. Craig advised that Dr. Buechler had been invited to appear before the Executive Committee to discuss why he would provide samples of controlled substances to an individual that he knew has a Recovery Contract Agreement with the Mississippi Professionals Health Program (MPHP). Dr. Craig advised that due to Dr. Buechler's actions that Dr. Easley's advocacy had been withdrawn by MPHP. Dr. Scott Hambleton, Medical Director, MPHP, was present and agreed with Dr. Craig.

Dr. Buechler joined the meeting and was introduced by Stan Ingram, Complaint Counsel for Board. Mr. Ingram advised that Dr. Buechler was without counsel. Dr. Buechler had executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

Prior to any questions, Mr. Ingram advised the Executive Committee to go into Executive Session to discuss the matter since a MPHP participant was involved and the matter pertained to possible disciplinary action. Motion was made by Dr. Crawford, seconded by Dr. Aycock and carried that the Executive Committee enter into Executive Session. Dr. Hambleton and Dr. Buechler were included in the Executive Session to address questions from the committee.

EXECUTIVE COMMITTEE MINUTES

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Following a motion by Dr. Crawford, seconded by Dr. Aycock, the Executive Committee came out of Executive Session at which time Dr. Easterling asked Dr. Aycock to report on the decision. Dr. Aycock advised that the unanimous decision is to issue Dr. Buechler a Non-Public Letter of Concern addressing concerns of the Board after requesting the Full Board's approval on Thursday.

PERSONAL APPEARANCE BY STEPHEN ALLEN COACHYS, M.D., MADISON, MISSISSIPPI MEDICAL LICENSE NUMBER 17784

Dr. Craig advised that Dr. Coachys had been invited to the Executive Committee to discuss concerns he has with Dr. Coachys prescribing controlled substances to his wife and a patient who is a fire fighter. Also, Dr. Craig advised that he has concerns with collaborative agreements where Dr. Coachys has been involved. Before Dr. Coachys was invited to join the meeting, Investigator Charles Ware addressed the Board and discussed concerns uncovered in his investigation and visit with Dr. Coachys.

Dr. Coachys joined the meeting and was not represented by legal counsel. Mr. Ingram introduced Dr. Coachys to the Executive Committee and advised that he had executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

Dr. Craig discussed with Dr. Coachys why he had been invited to appear before the Executive Committee and asked him to explain. Dr. Coachys discussed several medical problems concerning his wife, and why he prescribed to her when he knew better. Also, Dr. Coachys discussed the fire fighter and explained why he had prescribed a diet medication and a sleep medication to him at the same time.

Following several questions from the Executive Committee concerning the two patients, as well as discussing APRNs and Dr. Coachys' collaborative agreements, motion was made by Dr. Crawford, seconded by Dr. Aycock that the Executive Committee enter into Executive Session to discuss a matter that could possibly lead to disciplinary action.

Following a motion by Dr. Crawford, seconded by Dr. Aycock, the Executive Committee came out of Executive Session at which time Dr. Easterling asked Dr. Aycock to report on the decision. Dr. Aycock advised that the unanimous decision is to offer Dr. Coachys a consent order, which if agreed to by Dr. Coachys, would require him to attend Board approved Ethics and prescribing courses and restrict schedules II and III for one (1) year. Dr. Easterling advised that the Executive Committee's decision would be discussed with the Full Board on Thursday for approval, and advised Dr. Coachys that he would be notified of their decision.

EXECUTIVE COMMITTEE MINUTES

January 15, 2014

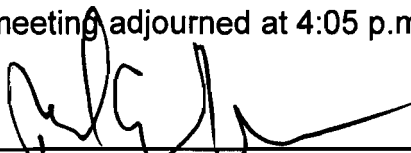
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REVIEW OF JANUARY 16, 2014, BOARD AGENDA

Dr. Craig briefly reviewed the agenda for tomorrow's meeting.

ADJOURNMENT

There being no further business, the meeting adjourned at 4:05 p.m.



**S. RANDALL EASTERLING, M.D.
PRESIDENT**

Minutes taken and transcribed
by Sherry H. Pilgrim
Staff Officer
January 15, 2014

**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**

I, **Matthew Barfield, D.O.**, have been asked to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss issues which may relate to my practice and possible the grounds, if any, for disciplinary action, and possible resolution of the same. 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 disciplinary action against my license.
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 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: W. H. Johnson)

without legal counsel present

EXECUTED, this the 15 day of JANUARY, 2014.

John Barrow, D.O.
LICENSEE

Witness:

Anna Boone

MATT BARFIELD, D.O.

NAME PRINTED

**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**

I, **Allison Garstecki, PA.**, have been asked to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss issues which may relate to my practice and possible the grounds, if any, for disciplinary action, and possible resolution of the same. 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 disciplinary action against my license.
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 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: Whit Johnson)

without legal counsel present

EXECUTED, this the 15 day of January 2014.

Allison Garstecki
LICENSEE

Witness: Anna Boone

Allison Garstecki
NAME PRINTED

**EXECUTIVE SESSION - EXECUTIVE COMMITTEE
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
JANUARY 15, 2014**

AGENDA ITEM: Personal appearances by Matthew Barfield, D.O. and Allison Garstecki, PA

Motion of the Executive Committee is to issue Dr. Barfield and Ms. Garstecki a Non-Public Letter of Concern for failure to submit a protocol as required by the Board's Rules and Regulations.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
S. Randall Easterling, M.D.	X			
Virginia M. Crawford, M.D.	X			
Larry B. Aycock, M.D.	X			

With a motion by Dr. Crawford, seconded by Dr. Aycock, the Executive Committee came out of Executive Session.



S. Randall Easterling, M.D.
President

**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**

I, **Kurt Alan Buechler, M.D.**, have been asked to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss issues which may relate to my practice and possible the grounds, if any, for disciplinary action, and possible resolution of the same. 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 disciplinary action against my license.
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 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 15 day of JANUARY, 2014.



LICENSEE

Witness: Anna Boone

KURT BUECHLER, M.D.
NAME PRINTED

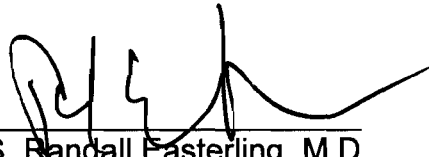
**EXECUTIVE SESSION - EXECUTIVE COMMITTEE
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
JANUARY 15, 2014**

AGENDA ITEM: Personal appearance by Kurt Alan Buechler, M.D.

Motion of the Executive Committee is to issue Dr. Buechler a Non-Public Letter of Concern to remind him that he needs to be more mindful of RCA agreements and have better communication with MPHP when he has a patient taking prescriptions and under a RCA contract.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
S. Randall Easterling, M.D.	X			
Virginia M. Crawford, M.D.	X			
Larry B. Aycock, M.D.	X			

With a motion by Dr. Crawford, seconded by Dr. Aycock, the Executive Committee came out of Executive Session.



S. Randall Easterling, M.D.
President

**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**

I, **Stephen Allen Coachys, M.D.**, have been asked to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss issues which may relate to my practice and possible the grounds, if any, for disciplinary action, and possible resolution of the same. 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 disciplinary action against my license.
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 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 15TH day of JANUARY, 2014.



LICENSEE

Witness: Anna Boone

STEPHEN COACHYS MD

NAME PRINTED


**EXECUTIVE SESSION - EXECUTIVE COMMITTEE
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
JANUARY 15, 2014**

AGENDA ITEM: Personal appearance by Stephen Allen Coachys, M.D.

Motion of the Executive Committee is to offer Dr. Coachys a consent order whereby he will attend and complete a Board approved course in ethics and prescribing. Dr. Coachys is to be restricted from prescribing controlled substances II and III for a period of a minimum of 1 year. After the 1 year, he may petition the Board for lifting of the restrictions.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
S. Randall Easterling, M.D.	X			
Virginia M. Crawford, M.D.	X			
Larry B. Aycock, M.D.	X			

With a motion by Dr. Crawford, seconded by Dr. Aycock, the Executive Committee came out of Executive Session.



S. Randall Easterling, M.D.
President

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

OF

STEPHEN ALLEN COACHYS, M.D.

CONSENT ORDER

WHEREAS, STEPHEN ALLEN COACHYS, M.D., hereinafter referred to as "Licensee," is the current holder of Mississippi Medical License No. 17784; said license current until June 30, 2014;

WHEREAS, the Investigative Staff of the Mississippi State Board of Medical Licensure, hereinafter referred to as the "Board," conducted a comprehensive investigation into the medical practice of Licensee in Jackson, Mississippi, and the surrounding area, and has in its possession evidence which, if produced during the course of an evidentiary hearing, would substantiate that Licensee has administered, dispensed or prescribed drugs having addiction-forming or addiction-sustaining liability otherwise than in the course of legitimate professional practice; and has violated the Administrative Code of the Board, "Pertaining to Prescribing, Administering and Dispensing of Medication."

WHEREAS, the above conduct, if established before the Board, constitutes violations of the Mississippi Medical Practice Act, specifically, Section 73-25-29(3), (8)(d), (13), and Section 73-25-83(a), Miss. Code (1972) Ann., for which the Board 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, it is the desire of Licensee to avoid an evidentiary hearing before the Board and, in lieu thereof, has agreed to enter into this Consent Order subject to the terms, conditions and restrictions as specified below;

NOW, THEREFORE, the Mississippi State Board of Medical Licensure with consent of Licensee as signified by his joinder herein, does hereby place the following restrictions on Licensee's certificate (No. 17784) to practice medicine in the State of Mississippi, to-wit:

1. Until otherwise authorized by the Board, Licensee shall be prohibited from prescribing, administering or dispensing any controlled substances in Schedules II, IIN, III, and IIIN. After expiration of one (1) year from the date of this Consent Order, Licensee shall have the right but not the obligation to petition the Board for reinstatement of prescriptive authority in Schedules II, IIN, III, and IIIN. Upon receipt of the petition, Licensee shall appear before the Board at the first available meeting date to review his compliance and request removal of restrictions.
2. Licensee shall attend and successfully complete Continuing Medical Education (CME) courses in the following areas: (1) proper prescribing of controlled substances and (2) medical ethics. The CME courses required herein shall be American Medical Association (AMA) approved Category I credits. Any credit received for such courses shall be in addition to the usual forty (40) hours of Category I credits required by Board regulation. Licensee will be required to be on-site while taking any and all CME courses. On-line CME is not permitted. Following completion of each course, Licensee shall submit to the Board documentary proof of successful completion. Successful completion of all CME as provided herein shall be completed prior to any petition by Licensee seeking removal of restrictions.
3. Licensee shall report in writing to the Board within fifteen (15) days should his medical license in any state be subject to investigation or disciplinary action.

4. Licensee's medical practice shall be subject to periodic surveillance. The Board's Director, any member of the Board, or Investigator for the Board may perform an unannounced inspection of any clinic wherein Licensee practices, which may include a chart review of selected patient files.
5. Licensee shall obey all federal, state and local laws, and all rules and regulations governing the practice of medicine.
6. Violation of any provisions(s) of the Medical Practice Act, the Mississippi Uniform Controlled Substances Law, the rules and regulations of the Board, or any provision of this Order, shall be grounds for immediate lifting of the stay as provided herein and suspension of Licensee's Mississippi medical license for a period of one (1) year from the date of the offense. In the event of such immediate action, Licensee shall be entitled to a hearing on the matter before the Board at the first available meeting date following the suspension.
7. Licensee shall reimburse the Board for all costs incurred in relation to the pending matter pursuant to Miss. Code Ann., § 73-25-30, said amount not to exceed \$10,000. Licensee shall be advised of the total assessment by separate written notification, and shall tender to the Board 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 the assessment is mailed to Licensee via U.S. Mail to Licensee's current mailing address.

Licensee understands and expressly acknowledges that this Consent Order, when 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.

It is not the intent or purpose of this Order to encourage malpractice liability as a result of Board action. Therefore, by execution of this Consent Order, Licensee is not admitting to or acknowledging any conduct or act of malpractice. Accordingly, this order shall not be used against Licensee in any proceeding other than before the Board.

Recognizing his right to notice of charges specified against him, to have such charges adjudicated pursuant to Miss. Code Ann. § 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, **STEPHEN ALLEN COACHYS, M.D.**, nevertheless, 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 the aforementioned restrictions on his license to practice medicine in the State of Mississippi for the period of terms stated above.

Executed, this the 8th, day of FEBRUARY 2014.



STEPHEN ALLEN COACHYS, M.D.

ACCEPTED AND APPROVED, this the _____, day of _____
2014, by the Mississippi State Board of Medical Licensure.

S. Randall Easterling, M.D.
PRESIDENT

BOARD

MEETING

MINUTES

BOARD MINUTES
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
JANUARY 16, 2014

The regularly scheduled meeting of the Mississippi State Board of Medical Licensure was held on Thursday, January 16, 2014, in the Board Room of the Office of the Board located at 1867 Crane Ridge Drive, Jackson, Mississippi.

The following members were present:

S. Randall Easterling, M.D., Vicksburg, President
Virginia M. Crawford, M.D., Hattiesburg, Vice President
Larry B. Aycock, M.D., McComb, Secretary
Claude D. Brunson, M.D., Jackson
Rickey L. Chance, D.O., Ocean Springs
William B. Jones, M.D., Greenwood
William S. Mayo, D.O., Oxford
Philip T. Merideth, M.D., J.D., Jackson
Charles D. Miles, M.D., West Point

Also present:

H. Vann Craig, M.D., Director
Stan T. Ingram, Complaint Counsel for the Board
Heather Wagner, Assistant Attorney General
Rhonda Freeman, Bureau Director, Licensure Division
Thomas Washington, Bureau Director, Investigative Division
Leslie Ross, Investigations Supervisor
Frances Carrillo, Special Projects Officer, Investigative Division
Sherry H. Pilgrim, Staff Officer
Wesley Breland, Hattiesburg, Consumer Health Committee

Not present:

Ellen O'Neal, Assistant Attorney General
Charles Thomas, Yazoo City, Consumer Health Committee

The meeting was called to order at 9:00 a.m. by Dr. Easterling, President. The invocation was given by Dr. Miles and the pledge was led by Dr. Crawford. Dr. Easterling welcomed Melissa Magee, Court Reporter, and extended a welcome to all visitors present at the meeting.

BOARD MINUTES
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Dr. Easterling asked for opening remarks or announcements. Dr. Craig advised that DEA Agent Simone Sandifer was here today representing the Bureau of Narcotics and had requested time to make a presentation. Ms. Sandifer requested that investigators Jonathan Dalton and Leslie Ross come forward. Ms. Sandifer presented both investigators with certificates for their help in diversion cases.

Also, Dr. Craig requested that Ms. Ross remain and he presented her with a certificate, 10 year service pin and crystal jar for her 10 years of service with the Medical Board.

Dr. Easterling opened the floor for public comments but there were none.

APPROVAL OF CERTIFICATION OF MISSISSIPPI LICENSES TO OTHER ENTITIES FOR THE PERIOD NOVEMBER 01, 2013, THROUGH DECEMBER 31, 2013

Two hundred thirty-one (231) licenses were certified to other entities for the period November 01, 2013, through December 31, 2013. Motion was made by Dr. Crawford, seconded by Dr. Merideth, and carried unanimously to approve these certifications.

APPROVAL OF LICENSES ISSUED FOR THE PERIOD NOVEMBER 01, 2013, THROUGH DECEMBER 31, 2013

Seventy-two (72) licenses were issued for the period November 01, 2013, through December 31, 2013. Motion was made by Dr. Mayo, seconded by Dr. Crawford, and carried unanimously to approve these licenses.

REVIEW OF MINUTES OF THE BOARD MEETING DATED NOVEMBER 13, 2013

Minutes of the Board meeting dated November 13, 2013, were reviewed. Dr. Miles moved for approval of the minutes as submitted. Dr. Jones seconded the motion, and it carried unanimously.

REPORT OF JANUARY 15, 2014, EXECUTIVE COMMITTEE MEETING

Dr. Craig briefly covered the appearances and issues that were discussed/ approved by the Executive Committee on January 15, 2014. Information pertaining to the Executive Committee decisions is included in the Executive Committee Minutes dated January 15, 2014.

Dr. Easterling stated that the Executive Committee moves that their actions/decisions be approved. The Board unanimously approved to ratify the actions

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taken by the Executive Committee.

LOBBYING CONTRACT BETWEEN MSBML AND MSMA, FOR DISCUSSION AND APPROVAL

Dr. Easterling advised the benefits of having a lobbying contract and how MSMA has assisted the Board in the past with introducing and following legislative bills. Blake Bell, attorney with MSMA, addressed the Board and covered several bills that MSMA is currently helping to get introduced and how they plan to assist the Board in the future.

Following several questions, motion was made by Dr. Mayo, seconded by Dr. Miles, and carried with the exception of Dr. Merideth that voted no to approving the lobbying contract.

Following a break later in the day, Dr. Easterling advised that the Board needs to revisit the lobbying contract matter briefly. Dr. Easterling advised that counsel had discussed whether any Board member was on the Board of Trustees or being paid by MSMA. After discussing, Dr. Brunson is the only one that would be affected and the matter was voted on again with Dr. Brunson recusing himself.

Motion was made by Dr. Miles, seconded by Dr. Mayo, to approve the contract with MSMA for lobbying with Dr. Brunson recusing himself and Dr. Merideth voting no.

REPORTS FROM COMMITTEES

Scope of Practice - Dr. Brunson (Chair), Dr. Easterling, Dr. Jones, Dr. Chance, Dr. Miles, Mr. Thomas

Dr. Brunson advised there was no new information to report.

Professionals Health Program - Dr. Chance (Chair), Dr. Crawford, Dr. Aycock

Dr. Chance advised there was no new information to report.

Rules, Regulation & Legislative - Dr. Mayo (Chair), Dr. Easterling, Dr. Jones, Dr. Miles, Mr. Breland

Dr. Mayo advised that Blake Bell, MSMA, had covered the bills that the Board was wanting introduced this session.

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Ethics - Dr. Crawford (Chair), Dr. Merideth, Dr. Aycock

Dr. Crawford advised there was no new information to report.

Telemedicine / EHR - Dr. Aycock (Chair), Dr. Merideth, Dr. Brunson

Dr. Aycock advised that with all the changes in telemedicine that the Board needs to review the current regulation and make the necessary adjustments.

Licensure Process - Dr. Brunson (Chair), Dr. Craig, Ms. Freeman

Dr. Brunson advised there was no new information to report.

PRESENTATION BY ERWIN B. MONTGOMERY, JR., M.D., MEDICAL DIRECTOR, GREENVILLE NEUROMODULATION CENTER, GREENVILLE, PA, CONCERNING DEEP BRAIN STIMULATION AND DISTANCE EXPERT

By way of a video presentation, Dr. Montgomery gave an informative presentation covering their program. Dr. Montgomery stated that the program is a Web-based set of tools to aid local neurosurgeons, physicians and healthcare professionals in providing patients medical and surgical care for Parkinson's disease and other movement disorders.

Following the presentation, Board members asked questions before thanking Dr. Montgomery and advising him that the Board would discuss his request and advise him of their decision.

After discussing, the Board requested that Dr. Craig check with executive directors in other states to see if any of them are using this system and could supply the Board with any information. Dr. Craig is to provide an update at the March Board meeting.

APPROVAL FOR STAFF AND BOARD MEMBERS TO ATTEND THE ADMINISTRATORS IN MEDICINE AND FEDERATION OF STATE MEDICAL BOARD ANNUAL MEETINGS IN DENVER, CO., APRIL 23 - 26, 2014

Motion was made by Dr. Mayo, seconded by Dr. Jones, and carried unanimously to approve the expenses for staff and Board members attending the meetings in Denver, CO., April 23 - 26, 2014.

SEBASTIAN M.F. KOGA, M.D., CHARLOTTESVILLE, VA, APPLICANT

Dr. Craig advised that Dr. Koga is an applicant that exceeded the Board's rules and regulation concerning completing all steps of the USMLE in seven (7) years. Dr. Craig covered an issue during Dr. Koga's post-graduate training certification and his explanation as to why it took him extra time to complete all the steps of the USMLE.

Following a brief discussion, motion was made by Dr. Chance to grant Dr. Koga's request as the information provided was sufficient documentation to grant a waiver due to extenuating circumstances. Dr. Mayo seconded the motion and it carried unanimously.

DISCUSS PAIN CLINIC APPLICATION OWNED BY LICENSED OUT OF STATE PHYSICIANS

Dr. Craig advised that the Board had received an application for a pain clinic that is owned by a physician that is not licensed in Mississippi but has an active license in another state.

Dr. Easterling covered the Board's current rules and regulations. After a brief discussion by Board members and input from Heather Wagner, Assistant Attorney General, motion was made by Dr. Mayo, seconded by Dr. Miles, and carried that Dr. Craig correspond to the physician that the Board's interpretation, as well as advice from legal counsel, is that he does not meet the Board's current rules and regulations without having a valid Mississippi medical license.

DISCUSS TELEMEDICINE WAIVER REQUEST FOR JANICE HUDSON, M.D., AND ONLINE CARE NETWORK, PC

Dr. Craig discussed Dr. Hudson's waiver request and advised that the Board has licensed several physicians recently that will be working with Online Care Network. Dr. Craig expressed his concerns and requested the Board's guidance in how to handle the request.

After further discussion, the Board agreed that Dr. Craig should send an ExecNet inquiry, as well as call several executive directors in other states, to get more information on how they are handling. Also, the Board would like to invite a representative to the March Executive Committee meeting to give a presentation.

2013 ANNUAL REPORT, FOR INFORMATION ONLY

For informational purposes only, Dr. Craig advised that a copy of the 2013

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Annual Report was included for their review.

THE BOARD RECESSED AT 10:35 A.M. AND RECONVENED AT 10:45 A.M.

**PERSONAL APPEARANCE BY ROGER L. COLLINS, M.D., JACKSON, MISSISSIPPI
MEDICAL LICENSE NUMBER 08566, REQUEST APPROVAL OF PROPOSED
CONSENT ORDER**

Stan Ingram, Complaint Counsel for the Board, advised that pursuant to a settlement conference that Dr. Collins and his attorneys, Eric Price and David Dunbar, were here today to request approval of the proposed Consent Order. Mr. Ingram introduced Dr. Collins and his attorneys and briefly discussed the proposed Consent Order. Mr. Ingram advised that Dr. Collins' license would be suspended for one (1) year, with the suspension stayed, subject to Dr. Collins surrendering his DEA in Schedules II, IIN, III, and IIIN for a period of two (2) years, as well as attending and successfully completing courses in proper prescribing of controlled substances, medical ethics, and proper medical record keeping.

Following several questions from Board members, motion was made Dr. Mayo, seconded by Dr. Miles, and approved unanimously to approve the proposed Consent Order. A copy of the Consent Order is attached hereto and incorporated by reference.

**HEARING IN THE CASE OF LON F. ALEXANDER, M.D., HATTIESBURG,
MISSISSIPPI MEDICAL LICENSE NUMBER 10954, SUMMONS AND AFFIDAVIT**

Stan Ingram, Complaint Counsel for the Board, introduced Dr. Alexander and his attorney, John W. Chapman. Mr. Ingram advised that Dr. Alexander was here today due to being issued a Summons and Affidavit and being charged with violating his Recovery Contract Agreement with the Mississippi Professionals Health Program (MPHP).

Mr. Ingram addressed the Board and briefly summarized Dr. Alexander's Summons and Affidavit and discussed the counts listed prior to entering several exhibits into the record. Also, Mr. Ingram qualified Scott Hambleton, M.D., Director, Mississippi Professionals Health Program (MPHP) as an expert witness in addiction medicine and covered his CV. The Board accepted Dr. Hambleton as an expert witness. Mr. Ingram advised that Dr. Hambleton would be the Board's only witness.

Mr. Chapman, counsel for Dr. Alexander, made his opening statement and stated that Dr. Alexander admits prescribing to his wife and that he was here today to answer the Board's questions as he wants to practice medicine again.

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Mr. Ingram called Dr. Hambleton to the witness stand and he was sworn in by the court reporter. Mr. Ingram questioned Dr. Hambleton concerning Dr. Alexander's Recovery Contract Agreement, the violations, and what led to the withdrawal of advocacy.

Mr. Chapman questioned Dr. Hambleton concerning Dr. Alexander and the Recovery Contract Agreements. Mr. Ingram cross examined Dr. Hambleton prior to several of the Board members asking questions. The Board thanked Dr. Hambleton and he was allowed to step down.

DR. BRUNSON EXITED THE MEETING AT 11:25 A.M.

Mr. Chapman called Dr. Alexander and he was sworn in by the court reporter.

Mr. Chapman questioned Dr. Alexander concerning the violations of the RCA. Mr. Ingram followed Mr. Mercier with several questions.

Following several questions from Board members, motion was made by Dr. Crawford, seconded by Dr. Merideth, and carried that the Board enter into Executive Session to discuss a matter which could possibly result in disciplinary action.

Following a motion by Dr. Mayo, seconded by Dr. Crawford, and carried the Board came out of Executive Session at which time Dr. Easterling asked Dr. Aycock to report on the Board's decision. Dr. Aycock advised that the Board finds Dr. Alexander guilty of Counts I and II and indefinitely suspends Dr. Alexander's license. After one (1) year, Dr. Alexander has the right, but not the obligation, to petition the Board for reinstatement of his license subject to terms and conditions listed in the Determination and Order. A copy of the Determination and Order is attached hereto and incorporated by reference.

A verbatim account of this proceeding was recorded by Melissa Magee, Court Reporter.

THE BOARD RECESSED FOR LUNCH AT 1:15 P.M. AND RETURNED AT 1:50 P.M.

DR. BRUNSON RETURNED TO THE MEETING AFTER THE LUNCH BREAK

**PERSONAL APPEARANCE BY MICHAEL DEAN RALSTON, M.D., MEMPHIS, TN,
MISSISSIPPI MEDICAL LICENSE NUMBER 10319, REQUEST REMOVAL OF
RESTRICTIONS**

Mr. Ingram introduced Dr. Ralston and advised that he was here today without

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counsel to request that all restrictions be removed from his Mississippi medical license.

Several of the Board members questioned Dr. Ralston concerning his current practice and his plans for the future. Motion was made by Dr. Aycock, seconded by Dr. Jones, and carried to grant Dr. Ralston's request and lift all restrictions on his Mississippi medical license effective January 19, 2014. A copy of the Order Removing All Restrictions is attached hereto and incorporated by reference.

PERSONAL APPEARANCE BY NEDRA CLEM JACKSON, M.D., NASHVILLE, TN, MISSISSIPPI MEDICAL LICENSE NUMBER 21180, REQUEST REMOVAL OF RESTRICTIONS

Mr. Ingram introduced Dr. Jackson and advised that she was here today without counsel to request that all restrictions be removed from her Mississippi medical license. Mr. Ingram advised that Heather Wagner, Assistant Attorney General, would like to question her regarding legal representation. Following questions from Ms. Wagner, Dr. Jackson stated that she wanted to waive her right to an attorney and proceed without legal counsel.

Mr. Ingram advised Dr. Jackson that he would provide the Board with a summary of the events surrounding the Board's Order and then enter the exhibits into the record. Mr. Ingram requested that Dr. Jackson review all the exhibits.

Mr. Ingram called Dr. Jackson to the witness stand and she was sworn in by the court reporter. Following several questions from Mr. Ingram, the Board members questioned Dr. Jackson.

Following a brief discussion concerning Dr. Jackson's practice plans, motion was made by Dr. Aycock, seconded by Dr. Chance, and carried to grant Dr. Jackson's request and remove all restrictions on her Mississippi medical license. A copy of the Board's Order Removing All Restrictions is attached hereto and incorporated by reference.

A verbatim account of this proceeding was recorded by Melissa Magee, Court Reporter.

HEARING IN THE CASE OF THERESA LANE-FISHER, PA, RIDGELAND, PA LICENSE NUMBER 00011, TEMPORARY ORDER OF SUSPENSION AND SUMMONS AND AFFIDAVIT

Mr. Ingram introduced Ms. Lane-Fisher and advised that she was here today without counsel in response to a Summons and Affidavit that she was served and also

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an Order of Temporary Suspension that is currently in place. Mr. Ingram advised that Heather Wagner, Assistant Attorney General, would like to question her regarding legal representation. Following questions from Ms. Wagner, Ms. Lane-Fisher stated that she wanted to waive her right to an attorney and proceed without legal counsel

Mr. Ingram explained the process to Ms. Lane-Fisher and advised that he would enter exhibits into the record, could call witnesses, and that she would be allowed to do the same. Ms. Lane-Fisher agreed and Mr. Ingram entered exhibits into the record and gave a brief explanation of each. After all exhibits were entered, Mr. Ingram handed them to Ms. Lane-Fisher and requested that she take a few minutes and review them. After Ms. Lane-Fisher reviewed all the exhibits, Mr. Ingram again asked her if she wanted to continue with the hearing without counsel or if she wanted to seek counsel and request a continuance until the March meeting. This time, Ms. Lane-Fisher stated that she wanted to request a continuance and seek counsel.

Motion was made by Dr. Merideth, seconded by Dr. Crawford, and carried to grant Ms. Lane-Fisher a continuance until the March meeting. A copy of the Continuance is attached hereto and incorporated by reference.

A verbatim account of this proceeding was recorded by Melissa Magee, Court Reporter.

THE BOARD RECESSED AT 02:45 P.M. AND RECONVENED AT 03:00 P.M.

**HEARING IN THE CASE OF DOMINICK TRINCA, M.D., GREENVILLE, MISSISSIPPI
MEDICAL LICENSE NUMBER 14017, SUMMONS AND AFFIDAVIT**

Mr. Ingram introduced Dr. Trinca and his attorney, Doug Mercier, and advised that they were here today in reference to a Summons and Affidavit.

Dr. Merideth advised that he wished to rescue himself from the hearing and left the meeting at 3:02 P.M.

Prior to the initiation of the hearing, Licensee through his counsel, Doug Mercier, presented a possible settlement of all charges as set forth in the Summons and Affidavit. Mr. Mercier advised that Dr. Trinca would like to offer the Board a voluntary one (1) year suspension with the right to come back after one (1) year.

Motion was made by Dr. Crawford, seconded by Dr. Chance, and carried that the Board enter into Executive Session to discuss Dr. Trinca's proposal.

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Following a motion by Dr. Crawford, seconded by Dr. Mayo, and carried the Board came out of Executive Session at which time Dr. Easterling asked Dr. Aycock to report on the Board's decision. Dr. Aycock advised that the Board accepts Dr. Trinca's offer for an indefinite license suspension. Dr. Trinca will have the right, but not the obligation, to return to the Board to request lifting of this suspension in one (1) year. A copy of the Agreed Order is attached hereto and incorporated by reference.

ADJOURNMENT

There being no further business, the meeting adjourned at 3:10 p.m., with the next scheduled meeting for Thursday, March 20, 2014.



S. RANDALL EASTERLING, M.D.
President

Minutes taken and transcribed
by Sherry H. Pilgrim
Staff Officer
January 16, 2014

Contract
Between the Board of Medical Licensure and
Mississippi State Medical Association

This document is a Contract between the parties, Mississippi State Medical Association, a non-profit Mississippi corporation that advocates on behalf of physician licensees or the Board and currently monitors all introduced legislation that may impact the practice of medicine, located at 408 West Parkway Road, Ridgeland, MS (Hereinafter referred to as "MSMA" or "Contractor") and the Mississippi State Board of Licensure a state agency herein after referred to as "Agency"). This contract reflects the agreement by and between the parties that MSMA shall provide services as outlined herein below.

Scope of Services

During the period of performance indicated herein below, MSMA shall perform the following services:

- **Board-Sponsored Legislation.** MSMA shall assist the Board, and such individuals as the Board may designate, in developing bills for introduction in the Mississippi State Legislature. When a proposed bill has been developed and approved by the Board, MSMA shall advise the Board regarding sponsors for the bill and introduction in the Mississippi State Legislature. After the bill has been introduced, MSMA shall inform the Board's President and/or Executive Director to which House or Senate committee the bill was assigned and of any testimony that may be required to be given on behalf of the Board.
- Upon request, MSMA shall act as a governmental liaison for the Board by assisting the Executive Director, President, and/or Board members with executive and legislative branch meetings and other requests. However, MSMA shall not make any representation concerning the Board's position on a particular legislative issue.
- **Other Legislation.** MSMA shall monitor all legislation introduced in the Mississippi State Legislature and shall notify the Board's President and/or Executive Director and any other designated individual(s) of each bill which may impact the Board or its licensees. MSMA will also monitor legislation on issues and concerns identified by the Board. When an issue or concern arises as a result of either MSMA's or the Board's monitoring actions, MSMA shall advise the Board on all necessary members of the Mississippi State Legislature from whom it may see support for its position.
- **Action by Governor.** Whenever any Board-sponsored legislation or other legislation will impact the Board or its licensees, MSMA shall promptly notify the Board of the action taken by the Governor concerning such legislation. If the Governor approves legislation that the Board determines will negatively impact the Board or its licensees, MSMA shall advise the Board of possible further action to be taken by the Mississippi State Legislature.
- **Reports and Board Meetings.** MSMA shall, upon request of the President or Executive Director, attend Board meetings to report on the status of the legislation introduced by or affecting the Board or its licensees.

- Year-End Report. At the conclusion of the legislative year, MSMA shall provide the Board with a written report addressing legislative accomplishments and defeats, and recommendations for the next legislative session.

No additional services shall be performed unless prior approval thereof has been obtained from the Board. Payment for additional services shall be as mutually agreed to in writing by the parties.

Contract Modifications

This contract may be modified only by written agreement signed by the parties hereto. The parties agree to renegotiate the agreement if federal and/or state revisions of any applicable laws or regulations make changes in this agreement necessary. Modifications may include scope increases, deletions or other revisions within the contract.

Contract Period of Performance

The Contract shall begin immediately upon signing by both parties and shall be in effect until December 31, 2014.

Consideration

MSMA agrees to perform the Scope of Services hereunder to the satisfaction of the Agency during the period of performance identified in this Contract, pursuant to the terms and conditions of the Contract, for the consideration of \$15,000 for all services performed, payable in two installments: January 30, 2014 and July 30, 2014.

Payment

The Agency agrees to make payment in accordance with Mississippi law on "Timely Payments for Purchases by Public Bodies", Section 31-7-301, et seq. of the 1972 Mississippi Code Annotated, as amended, which generally provides for payment of undisputed amounts within forty-five (45) days of receipt of the invoice.

The State requires the Contractor to submit invoices electronically throughout the term of the agreement. Vendor invoices shall be submitted to the state agency using the processes and procedures identified by the State. Payments by state agencies using the Statewide Automated Accounting System (SAAS) shall be made and remittance information provided electronically as directed by the State. These payments shall be deposited into the bank account of the Contractor's choice. Contractor understands and agrees that the State is exempt from the payment of taxes. All payments shall be in United States currency. No payment, including final payment, shall be construed as acceptance of defective or incomplete work, and the Contractor shall remain responsible and liable for full performance.

Availability of Funds

It is expressly understood and agreed that the obligation of the Agency to proceed under this agreement is conditioned upon the appropriation of funds by the Mississippi State Legislature

and the receipt of state and/or federal funds. If the funds anticipated for the continuing fulfillment of the agreement are, at anytime, not forthcoming or insufficient, either through the failure of the federal government to provide funds or of the State of Mississippi to appropriate funds or the discontinuance or material alteration of the program under which funds were provided or if funds are not otherwise available to the Agency, the Agency shall have the right upon ten (10) working days written notice to the contractor, to terminate this agreement without damage, penalty, cost or expenses to the Agency of any kind whatsoever. The effective date of termination shall be as specified in the notice of termination.

Anti-Assignment/Subcontracting

MSMA acknowledges that it was selected by the Agency to perform the services required hereunder based, in part, upon MSMA's special skills and expertise. MSMA shall not assign, subcontract or otherwise transfer this agreement in whole or in part without the prior written consent of the Agency, which the Agency may, in its sole discretion, approve or deny without reason. Any attempted assignment or transfer of its obligations without such consent shall be null and void. No such approval by the Agency of any subcontract shall be deemed in any way to provide for the incurrence of any obligation of the State in addition to the total fixed price agreed upon in this agreement. Subcontracts shall be subject to the terms and conditions of this agreement and to any conditions of approval that the Agency may deem necessary. Subject to the foregoing, this agreement shall be binding upon the respective successors and assigns of the parties.

Authority to Contract

MSMA warrants (a) that it is a validly organized business with valid authority to enter into this agreement; (b) that it is qualified to do business and in good standing in the state of Mississippi; (c) that entry into and performance under this agreement is not restricted or prohibited by any loan, security, financing, contractual, or other agreement of any kind, and (d) notwithstanding any other provision of this agreement to the contrary, that there are no existing legal proceedings or prospective legal proceedings, either voluntary or otherwise, which may adversely affect its ability to perform its obligations under this agreement.

Confidentiality

MSMA hereby agrees to assure the confidentiality of any records obtained from the Agency, as required by state and federal privacy laws. No information, documents or other material provided to or prepared by MSMA deemed confidential by the Agency pursuant to state and federal privacy laws, shall be made available to any person or organization without the prior approval of the Agency. Any liability resulting from any wrongful disclosure of confidential information on the part of MSMA shall rest with MSMA.

Confidential Information shall mean (a) those materials, documents, data, and other information which MSMA has designated in writing as proprietary and confidential, and (b) all data and information which MSMA acquires as a result of its contact with and efforts on behalf of the Agency and any other information designated in writing as confidential by the Agency. Each party to this agreement agrees to protect all confidential information provided by one

party to the other; to treat all such confidential information as confidential to the extent that confidential treatment is allowed under Mississippi and/or federal law, and, except as otherwise required by law, not to publish or disclose such information to any third party without the other party's written permission, and to do so by using those methods and procedures normally used to protect the party's own confidential information. Any liability resulting from the wrongful disclosure of confidential information on the part of MSMA or its Subcontractor shall rest with MSMA. Disclosure of any confidential information by MSMA or its Subcontractor without the express written approval of the Agency shall result in the immediate termination of this agreement and the availability to the Agency of any and all remedies at law or in equity.

Indemnification

To the fullest extent allowed by law, MSMA shall indemnify, defend, save and hold harmless, protect, and exonerate the Agency and its members, officers, employees, agents, and representatives, and the state of Mississippi from and against all claims, demands, liabilities, suits, actions damages, losses, and costs of every kind and nature whatsoever, including, without limitation, court costs, investigative fees and expenses, and attorneys' fees, arising out of or caused by MSMA and/or its partners, principals, agents, employees and/or Subcontractors in the failure to perform this agreement. In the State's sole discretion, MSMA may be allowed to control the defense of any such claim, suit, etc. In the event MSMA defends said claim, suit, etc., MSMA shall use legal counsel acceptable to the State; MSMA shall be solely responsible for all costs and/or expenses associated with such defense, and the State shall be entitled to participate in said defense. MSMA shall not settle any claim, suit, etc. without the State's concurrence, which the State shall not unreasonably withhold.

Independent Contractor Status

MSMA shall, at all times, be regarded as and shall be legally considered an independent contractor and shall at no time act as an agent for the Agency or the State. Nothing contained herein shall be deemed or construed by the Agency, the Contractor, or any third party as creating the relationship of principal and agent, master and servant, partners, joint ventures, employer and employee, or any similar such relationship between the Agency and the Contractor. Neither the method of computation of fees or other charges, nor any other provision contained herein, nor any acts of the Agency or the Contractor hereunder creates or shall be deemed to create a relationship other than the independent relationship of the Agency and the Contractor. Contractor's personnel shall not be deemed in any way, directly or indirectly, expressly or by implication, to be employees of the State. Neither the Contractor nor its employees shall, under any circumstances, be considered servants, agents, or employees of the State; and the State shall be at no time legally responsible for any negligence or other wrongdoing by the Contractor, its servants, agents, or employees. The Agency shall not withhold from the contract payments to the Contractor any federal or state unemployment taxes, federal or state income taxes, Social Security tax, or any other amounts for benefits to the Contractor. Further, the Agency shall not provide to the Contractor any insurance coverage or other benefits, including Workers' Compensation, normally provided by the State for its employees.

Notices

All notices required or permitted to be given under this agreement must be in writing and personally delivered or sent by United State's mail to the party to whom the notice should be given at the address set forth below. Notice shall be deemed given when actually received or when refused. The parties agree to promptly notify each other in writing of any change of address.

For the Contractor: Charmain Kanosky, Executive Director
Mississippi State Medical Association
408 West Parkway Road
Ridgeland, MS 39157

For the Agency: H. Vann Craig, M.D., Executive Director
MS State Board of Medical Licensure
1867 Crane Ridge Dr, Suite 200-B
Jackson, MS 39216

Oral Statements

No oral statement of any person shall modify or otherwise affect the terms, conditions, or specifications stated in this contract. All modifications to the contract must be made in writing by the Agency.

Applicable Laws

The contract shall be governed by and in accordance with the laws of the state of Mississippi, excluding its conflicts of laws provisions, and any litigation with respect thereto shall be brought in the courts of the State. The contractor shall comply with applicable federal and State laws and regulations.

The Contractor understands that the State is an equal opportunity employer and therefore maintains a policy which prohibits unlawful discrimination based on race, color, creed, sex, age, national origin, physical handicap, disability, or any other consideration made unlawful by federal, State or local laws. All such discrimination is unlawful and the Contractor agrees during the term of this agreement that the Contractor will strictly adhere to this policy in its employment practices and provision of services. The Contractor shall comply with, and all activities under this agreement shall be subject to, all applicable federal, State of Mississippi, and local laws and regulations, as now existing and as may be amended or modified.

Mississippi Employment Protection Act

"Contractor/Seller represents and warrants that it will ensure its compliance with the Mississippi Employment Protection Act, Section 71-11-1, et. seq. of the Mississippi Code Annotated (Supp 2008), and will register and participate in the status verification system for all newly hired

employees. The term "employee" as used herein means any person that is hired to perform work within the state of Mississippi. As used herein, "status verification system" means the Illegal Immigration Reform and Immigration Responsibility Act of 1996 that is operated by the United States Department of Homeland Security, also known as the E-Verify Program, or any other successor electronic verification system replacing the E-Verify Program. Contractor/Seller agrees to maintain records of such compliance and, upon request of the State and approval of the Social Security Administration or Department of Homeland Security, where required, to provide a copy of each such verification to the State. Contractor/Seller further represents and warrants that any person assigned to perform services hereunder meets the employment eligibility requirements of all immigration laws of the State of Mississippi. Contractor/Seller understands and agrees that any breach of these warranties may subject Contractor/Seller to the following: (a) termination of this Agreement and ineligibility for any state or public contract in Mississippi for up to three (3) years, with notice of such cancellation/termination being made public, or (b) the loss of any license, permit, certification or other document granted to Contractor/Seller by an agency, department or governmental entity for the right to do business in Mississippi for up to one (1) year, or (c) both. In the event of such termination/cancellation, Contractor/Seller would also be liable for any additional costs incurred by the State due to contract cancellation or loss of license or permit."

Representation Regarding Contingent Fees

The contractor represents that it has not retained a person to solicit or secure a State contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee.

Representation Regarding Gratuities

The contractor represents that it has not violated, is not violating and promises that it will not violate the prohibition against gratuities set forth in Section 7-204 of the Mississippi Personal Service Contract Procurement Regulations.

Procurement Regulations

The contract shall be governed by the applicable provisions of the Personal Service Contract Review Board Regulations.

Stop Work Order

Order to Stop Work. The Agency, may, by written order to the Contractor at any time, and without notice to any surety, require the Contractor to stop all or any part of the work called for by this contract. This order shall be for a specific period not exceeding 90 days after the order is delivered to the Contractor, unless the parties agree to any further period. Any such order shall be identified specifically as a stop work order issued pursuant to this clause. Upon receipt of such an order, the Contractor shall forthwith comply with its terms and take all reasonable steps to minimize the occurrence of costs allocable to the work covered by the order during the period of work stoppage. Before the stop work order expires, or within any further period to which the parties shall have agreed, the Agency shall either cancel the stop work order, or

terminate the work covered by such order as provided in the Termination for Default Clause or the Termination for Convenience Clause of this contract.

Cancellation or Expiration of the Order. If a stop work order issued under this clause is canceled at any time during the period specified in the order, or if the period of the order or any extension thereof expires, the Contractor shall have the right to resume work. An appropriate adjustment shall be made in the terms or delivery of services, or both, and the contract shall be modified in writing accordingly, if:

- the stop work order results in an increase in the time required for, or in the Contractor's cost properly allocable to, the performance of any part of this contract; and,
- the Contractor asserts a claim for such an adjustment within 30 days after the end of the period of work stoppage; provided that, if the Agency decides that the facts justify such action, any such claim asserted may be received and acted upon at any time prior to final payment under this contract.

Termination of Stopped Work. If a stop work order is not canceled and the work covered by such order is terminated for default or convenience, the reasonable costs resulting from the stop work order shall be allowed by adjustment or otherwise.

Termination for Convenience Clause

The Agency may, when the interests of the State so require, terminate this contract in whole or in part, for the convenience of the State. The Agency shall give written notice of the termination to the Contractor specifying the part of the contract terminated and when termination becomes effective.

The Contractor shall incur no further obligations in connection with the terminated work and on the date set in the notice of termination the Contractor will stop work to the extent specified. The Contractor must complete the work that is not terminated by the notice of termination.


Termination for Default Clause


If the Contractor refuses or fails to perform any of the provisions of this contract with such diligence as will ensure its completions within the time specified in this contract, or any extension thereof otherwise fails to timely satisfy the contract provisions, or commits any other substantial breach of this contract, the Agency may notify the Contractor in writing of the delay or nonperformance and if not cured in ten days or any longer time specified in writing by the Agency, the Agency may terminate the Contractor's right to proceed with the contract or such part of the contract as to which there has been delay or a failure to properly perform.

In the event of termination for default, in whole or in part, the Agency, after due written notice, may procure the services from other sources and hold the Contractor responsible for any resulting additional administrative costs associated with the procurement. This remedy shall be in addition to any other remedies that the Agency may have.

Authorization to Enter Contract

This contract has been made and interchangeably executed by parties authorized to enter into contracts on behalf of the cooperation or Agency in duplicate originals.


Charmain Kanosky, Executive Director
Mississippi State Medical Association


H. Vann Craig, M.D., Executive Director
Mississippi State Board of Medical Licensure

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

OF

ROGER L. COLLINS, M.D.

CONSENT ORDER

WHEREAS, ROGER L. COLLINS, M.D., hereinafter referred to as "Licensee," is the current holder of Mississippi Medical License No. 08566, issued February 1, 1979, and said license is current until June 30, 2014;

WHEREAS, the Investigative Staff of the Mississippi State Board of Medical Licensure, hereinafter referred to as the "Board," conducted a comprehensive investigation into the medical practice of Licensee in Jackson, Mississippi, and the surrounding area, and has in its possession evidence which, if produced during the course of an evidentiary hearing, would substantiate that Licensee has administered, dispensed or prescribed drugs having addiction-forming or addiction-sustaining liability otherwise than in the course of legitimate professional practice; and has violated the Rules and Regulations of the Board, "Pertaining to Prescribing, Administering and Dispensing of Medication."

WHEREAS, the above conduct, if established before the Board, constitutes violations of the Mississippi Medical Practice Act, specifically, Section 73-25-29(3), (8)(d), (13), and Section 73-25-83(a), Miss. Code (1972) Ann., for which the Board 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, it is the desire of Licensee to avoid an evidentiary hearing before the Board and, in lieu thereof, has agreed to enter into this Consent Order subject to the terms, conditions and restrictions as specified below;

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 (No. 08566) to practice medicine in the State of Mississippi for a period of one (1) year, but with the suspension stayed, subject to the following terms and conditions, to-wit:

1. Notwithstanding the one (1) year period of stayed suspension as provided herein, Licensee shall surrender his U.S. Drug Enforcement Administration (DEA) Uniform Controlled Substances Registration Certificate (No. AC8541636) in Schedules II, IIN, III, and IIIN for a period of two (2) years. Licensee shall execute such forms as is deemed necessary to accomplish the surrender. Licensee's DEA certificate shall thereafter be limited to Schedules IV and V. Following the two (2) year surrender of his DEA Certificate in Schedules II, IIN, III, and IIIN, Licensee shall have the right but not the obligation to petition the Board for reinstatement of such prescriptive authority. Upon receipt of the petition, Licensee shall appear before the Board at the first available meeting date to review his compliance and request for removal of restrictions.
2. During the one (1) year suspension period as stayed, Licensee shall attend and successfully complete Continuing Medical Education (CME) courses in the following areas: (1) proper prescribing of controlled substances; (2) medical ethics; and (3) proper medical record keeping. The CME courses required herein shall be American Medical Association (AMA) approved Category I credits. Any credit received for such courses shall be in addition to the usual forty (40) hours of Category I credits required

by Board regulation. Licensee will be required to be on-site while taking any and all CME courses. On-line CME is not permitted. Following completion of each course, Licensee shall submit to the Board documentary proof of successful completion.

3. Licensee shall report in writing to the Board within fifteen (15) days should his medical license in any state be subject to investigation or disciplinary action.
4. Licensee's medical practice shall be subject to periodic surveillance. The Board's Director, any member of the Board, or Investigator for the Board may perform an unannounced inspection of any clinic wherein Licensee practices, which may include a chart review of selected patient files.
5. Licensee shall obey all federal, state and local laws, and all rules and regulations governing the practice of medicine.
6. Violation of any provisions(s) of the Medical Practice Act, the Mississippi Uniform Controlled Substances Law, the rules and regulations of the Board, or any provision of this Order, shall be grounds for immediate lifting of the stay as provided herein and suspension of Licensee's Mississippi medical license for a period of one (1) year from the date of the offense. In the event of such immediate action, Licensee shall be entitled to a hearing on the matter before the Board at the first available meeting date following the suspension.
7. Notwithstanding the one-year term and additional restrictions stated herein, all restrictions shall remain until ordered removed by the Board.
8. Licensee shall reimburse the Board for all costs incurred in relation to the pending matter pursuant to Miss. Code Ann., § 73-25-30, said amount not to exceed \$10,000. Licensee shall be advised of the total assessment by separate written notification, and shall tender to the Board 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 the assessment is mailed to Licensee via U.S. Mail to Licensee's current mailing address.

Licensee understands and expressly acknowledges that this Consent Order, when 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.

It is not the intent or purpose of this Order to encourage malpractice liability as a result of Board action. Therefore, by execution of this Consent Order, Licensee is not admitting to or acknowledging any conduct or act of malpractice. Accordingly, this order shall not be used against Licensee in any proceeding other than before the Board.

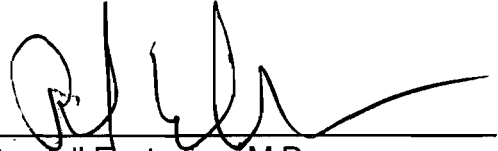
Recognizing his right to notice of charges specified against him, to have such charges adjudicated pursuant to Miss. Code Ann. § 73-25-27 (1972), to be represented therein by legal counsel of his choice, and to a final decision rendered upon written findings of fact and conclusions of law, **ROGER L. COLLINS, M.D.**, nevertheless, 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 a period of one (1) year, with the suspension immediately stayed, subject to those terms and conditions listed above.

Executed, this the 7th day of January, 2014.



ROGER L. COLLINS, M.D.

ACCEPTED AND APPROVED, this the 16th, day of January, 2014, by the
Mississippi State Board of Medical Licensure.

A handwritten signature in black ink, appearing to read 'S. Easterling', written over a horizontal line.

S. Randall Easterling, M.D.
PRESIDENT

**EXECUTIVE SESSION
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
JANUARY 16, 2014**

AGENDA ITEM: XXI. Hearing in the case of Lon Frederick Alexander, M.D.

In a motion made by Dr. Mayo, seconded by Dr. Crawford, and carried the Board finds Dr. Alexander guilty of Count I and Count II. Motion is to suspend Dr. Alexander's license. After a year, he may reappear for consideration of lifting of suspension. During this year of suspension, Dr. Alexander must have a full evaluation by a Board approved facility. The recommendation of the evaluation must be fulfilled and he must establish a provisional contract with MPHP.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Larry B. Aycock, M.D.	X			
Claude D. Brunson, M.D.				X
Rickey L. Chance, D.O.	X			
Virginia M. Crawford, M.D.	X			
S. Randall Easterling, M.D.	X			
William B. Jones, M.D.	X			
William S. Mayo, D.O.	X			
Philip T. Merideth, M.D., J.D.	X			
Charles D. Miles, M.D.	X			

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



S. Randall Easterling, M.D.
President

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE

OF

LON F. ALEXANDER, M. D.

DETERMINATION AND ORDER

THIS MATTER came on regularly for hearing on January 16, 2014, before the Mississippi State Board of Medical Licensure ("Board"), pursuant to Title 73, Chapter 25 of Mississippi Code (1972) Annotated. The Board initiated these proceedings on December 16, 2013, by issuance of a Summons and Affidavit against Lon F. Alexander, M. D. ("Licensee") setting forth two (2) counts of violation of Miss. Code Ann. Sections 73-25-29 and 73-25-83.

Licensee was present, represented by Honorable Johnny Chapman. Complaint Counsel for the Board was Honorable Stan T. Ingram. Sitting as legal advisor to the Board was Honorable Heather Wagner, Assistant Attorney General. Board members present for all proceedings were S. Randall Easterling, M.D. President; William S. Mayo, D.O., Larry B. Aycock, M.D., Claude D. Brunson, M.D., Rickey L. Chance, D.O., Virginia M. Crawford, M.D., Philip T. Merideth, M.D., J.D., Charles D. Miles, M.D., and William B. Jones, M.D.

Based upon the evidence and testimony presented, the Board renders the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

Based upon the evidence and testimony presented, the Board renders the following Findings of Fact:

1. Licensee currently holds Mississippi Medical License Number 10954, said number valid until June 30, 2014, subject to an order of prohibition as hereinafter noted (Board Exhibit 1).

2. In 2008, Licensee came to the attention of the Board after information was received by the Board and the Mississippi Professionals Health Program ("MPHP") after notification by the medical staff at St. Dominic Hospital that Licensee was suspected of abusing opioids and benzodiazepine.

3. Licensee successfully completed residential at the Betty Ford Center on May 10, 2008. Based on a diagnosis of Sedative/Hypnotic Dependency and Opiate Dependency, Licensee signed his first Recovery Contract Agreement ("RCA") with the MPHP, the Mississippi Professionals Health Committee ("MPHC"), and the Board on May 12, 2008 (Board Exhibit 3). Recovery Contract Agreements are written agreements between the program participant (Licensee), the Board, MPHP, and MPHC, which place non-disciplinary restrictions and requirements for the purpose of maintaining the participant's recovery. So long as the participant complies with the terms and conditions of the RCA, the MPHP/MPHC serves as an advocate to support the participant's continued licensure with the Board. If the participants violates the terms of the RCA, the MPHP/MPHC has the right to withdraw advocacy, wherein the Board may enter an order prohibiting the participant from practicing medicine until such time as the Board determines the participant may return to practice.

4. Following a relapse due to the use of Tramadol, Licensee completed a three-day substance use evaluation at Palmetto Addiction Recovery

Center in Rayville, Louisiana, on March 12, 2012. Licensee subsequently was readmitted for residential treatment at the Betty Ford Center on April 19, 2012. After successfully completing the program at the Betty Ford Center and discharged on May 30, 2012, Licensee was offered and signed his second five-year RCA on June 11, 2012 (Board Exhibit 4).

5. Licensee was required to meet with the MPHC on September 10, 2012, because of noncompliance. Licensee had missed call-ins for random urine drug screens, missed attendance at Caduceus meetings, failed to continue after-care therapy, failed to pay his bill for services to the UMC Toxicology Lab, and failed to turn in his support group attendance records. The MPHC informed Licensee that similar compliance issues preceded his last relapse, and they were extremely concerned, because these behaviors were manifesting themselves a few months after his most recent treatment. Licensee was informed that future non-compliance would result in potential loss of MPHP advocacy, with referral to the Board.

6. On October 3, 2013, in accordance with Licensee's RCA (Board Exhibit 3), a report was obtained from the Mississippi Prescription Monitoring Program ("PMP") concerning Licensee's prescribing of controlled substances. The report showed that Licensee had been prescribing controlled substances, specifically Temazepam 10mg, Alprazolam 2mg, Hydrocodone/Acetaminophen 10-650mg, Zolpidem Tartrate 10 mg, along with other medications for the past three (3) years to his spouse (Board Exhibit 5). Such conduct was in clear violation of Paragraph 1, of Licensee's RCA which reads, in part:

I {Licensee} agree not to prescribe, dispense or administer to myself or family members any drug having addiction-forming or addiction-sustaining liability.

Profiling of pharmacies in the Jackson and Hattiesburg, Mississippi, area found that the vast majority of the prescriptions were phoned into the pharmacies by Licensee. During the hearing, Licensee openly acknowledged the issuance of the prescriptions to his wife, notwithstanding the fact that she was under the care of a psychiatrist who was also prescribing her many of the same controlled substances.

7. On October 14, 2013, Licensee was asked to appear before the MPHC to discuss Licensee's failure to disclose the fact that he was treating his spouse to (i) the MPHC/MPHP and (ii) the treatment providers at Betty Ford Center. Licensee was informed that MPHP was withdrawing its advocacy. On October 15, 2013, the Board received a letter from MPHP Director Scott Hambleton, M.D., stating that MPHP could no longer advocate for Licensee due to a sequence of events which led to this decision (Board Exhibit 7). The letter reads in part..."It is the opinion of MPHC that MPHP cannot effectively monitor Licensee and that his continued practice of medicine represents a definite threat to the public health. We are referring his case to your office for final disposition". Pursuant to Paragraph 21 of the current RCA (Board Exhibit 4), which Licensee executed on September 1, 2012, the Board issued an order on October 23, 2013, prohibiting Licensee from practicing medicine pending the outcome of the hearing as conducted herein (Board Exhibit 7).

CONCLUSIONS OF LAW

Based on the Finding of Facts as enumerated above, Licensee is guilty of Count I of the Summons and Affidavit. That is, Licensee failed to comply with and is in violation of an existing Board Order, Stipulation or Agreement, all in violation of Miss. Code Ann., Section 73-25-29(13).

Based on the Finding of Facts as enumerated above, Licensee is guilty of Count II of the Summons and Affidavit. That is, Licensee is guilty of unprofessional conduct, in violation of Miss. Code Ann., Section 73-25-29(8)(d) and Section 73-25-83(a).

ORDER

IT IS THEREFORE, ORDERED that based upon the findings of fact and conclusions of law above, Mississippi Medical License No. 10954, previously issued to Lon F. Alexander, M.D. is hereby indefinitely suspended.

IT IS FURTHER ORDERED that upon expiration of one (1) year from the date of entry of this order, Dr. Alexander shall have the right, but not the obligation, to petition the Board for reinstatement of licensure. The Board shall be under no obligation to consider any request for reinstatement until such time as Licensee has complied with the following minimum prerequisites:

1. Licensee successfully completes comprehensive multi-disciplinary treatment at a treatment facility approved in advance by the MPHP, under the direction of its Medical Director. Licensee shall bear all costs of said treatment. Licensee shall execute such releases so as to authorize the treatment facility, its medical director or staff (1) to fully cooperate with the

MPHP and Board; and (2) to provide the MPHP with a full and complete treatment report and any other document or record which may be requested by the Board or MPHP.

2. At such time as requested by the MPHP, licensee shall establish a provisional contract and take those steps necessary to obtain affiliation and advocacy with the MPHP. Licensee shall comply with all affiliation requirements of the MPHP, its medical director or the MPHC. Licensee shall execute such releases so as to authorize the Board, its director or investigative staff, to contact and freely communicate with the MPHP, MPHC or any agent or representative of said organizations, as to all aspects of his affiliation and/or recovery.

IT IS FURTHER ORDERED, that upon receipt of any petition for reinstatement, the Board shall schedule a hearing on the matter at the first available meeting date after receipt of the request. Licensee shall attach to any such petition a copy of the treatment (discharge) report and written proof of affiliation and advocacy with the MPHP. The Board reserves right in its sole and absolute discretion to impose on Licensee any other restriction(s) which the Board may deem necessary to implement the recommendations of the MPHP/MPHC or to otherwise protect the public.

IT IS FURTHER ORDERED, that Dr. Alexander shall reimburse the Board of all costs incurred in relation to the pending matter pursuant to Miss. Code Ann., Section 73-25-30. Dr. Alexander 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 date of mailing of the notification.

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 Dr. Alexander and his Counsel, Honorable Johnny Chapman. Because Dr. Alexander was informed of this decision following Board deliberations, the Order shall be given immediate effect.

SO ORDERED, this the 16th day of January, 2014.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY:



S. Randall Easterling, M.D., President

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIANS'S LICENSE

OF

MICHAEL DEAN RALSTON, M.D.

ORDER REMOVING ALL RESTRICTIONS

THIS MATTER came on regularly for consideration on January 16, 2014, before the Mississippi State Board of Medical Licensure, in response to the request of Michael Dean Ralston, M.D., (hereinafter "Licensee"), seeking removal of all restrictions imposed on his Mississippi medical license by virtue of that certain Board Order dated January 19, 2012. 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, effective January 19, 2014.

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 Dean Ralston, M.D.

ORDERED, this the 16th day of January, 2014.

Mississippi State Board of Medical Licensure



S. Randall Easterling, M.D.
President

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

OF

NEDRA CLEM JACKSON, M.D.

ORDER REMOVING ALL RESTRICTIONS

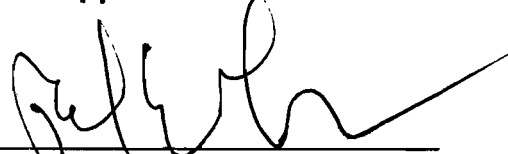
THIS MATTER came on regularly for consideration on January 16, 2014, before the Mississippi State Board of Medical Licensure, in response to the request of Nedra Clem Jackson, M.D., (hereinafter "Licensee"), seeking removal of all restrictions imposed on her Mississippi medical license by virtue of that certain Board Order dated July 22, 2010. 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 Nedra Clem Jackson, M.D.

ORDERED, this the 16th day of January, 2014.

Mississippi State Board of Medical Licensure



**S. Randall Easterling, M.D.
President**

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

OF

THERESA LEIJUAN LANE-FISHER, P.A.

ORDER OF CONTINUANCE

THIS MATTER came on regularly for hearing on January 16, 2014, before the Mississippi State Board of Medical Licensure. Prior to initiation of the hearing as scheduled, Theresa Leijuan Lane-Fisher, P.A. (hereinafter "Licensee"), requested a continuance in order to obtain legal counsel. After consideration of the matter, the Board finds Licensee's motion to be well taken.

IT IS, THEREFORE, ORDERED, that this matter is continued until Thursday, March 20, 2014.

IT IS FURTHER ORDERED, that the Order of Temporary Suspension previously issued in the matter on January 7, 2014, shall remain in full force and effect. Therefore, Licensee shall not practice medicine or otherwise operate as a physician assistant in any form or fashion pending the hearing as rescheduled herein.

SO ORDERED, this the 16th day of January, 2014.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY: _____


**S. RANDALL EASTERLING, M.D.
PRESIDENT**

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN ASSISTANT LICENSE

OF

THERESA LEIJUAN LANE-FISHER, P.A.

ORDER OF CONTINUANCE

THIS MATTER came on regularly for hearing on January 16, 2014, before the Mississippi State Board of Medical Licensure. Prior to initiation of the hearing as scheduled, Theresa Leijuan Lane-Fisher, P.A. (hereinafter "Licensee"), requested a continuance in order to obtain legal counsel. After consideration of the matter, the Board finds Licensee's motion to be well taken.

IT IS, THEREFORE, ORDERED, that this matter is continued until Thursday, March 20, 2014.

IT IS FURTHER ORDERED, that the Order of Temporary Suspension previously issued in the matter on January 7, 2014, shall remain in full force and effect. Therefore, Licensee shall not practice medicine or otherwise operate as a physician assistant in any form or fashion pending the hearing as rescheduled herein.

SO ORDERED, this the 16th day of January, 2014.

MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE

BY:


S. RANDALL EASTERLING, M.D.
PRESIDENT

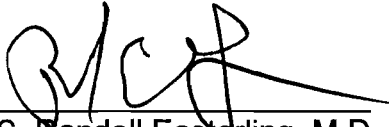
**EXECUTIVE SESSION
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
JANUARY 16, 2014**

AGENDA ITEM: XXIII. Hearing in the case of Dominick Trinca, M.D.

In a motion made by Dr. Mayo, seconded by Dr. Miles, and carried the Board accepts Dr. Trinca's agreement to an indefinite license suspension. Dr. Trinca will have the right to return to the Board to request lifting of this suspension in a year.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Larry B. Aycok, M.D.	X			
Claude D. Brunson, M.D.	X			
Rickey L. Chance, D.O.	X			
Virginia M. Crawford, M.D.	X			
S. Randall Easterling, M.D.	X			
William B. Jones, M.D.	X			
William S. Mayo, D.O.	X			
Philip T. Merideth, M.D., J.D.				X
Charles D. Miles, M.D.	X			

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



S. Randall Easterling, M.D.
President

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF PHYSICIAN'S LICENSE

OF

DOMINICK TRINCA, M. D.

AGREED ORDER

WHEREAS, on this date, the matter of the physician's license of DOMINICK TRINCA, M. D. came on regularly for hearing before the Mississippi State Board of Medical Licensure ("Board"), pursuant to Title 73, Chapter 25 of Mississippi Code (1972) Annotated. The Board initiated these proceedings on December 17, 2013, by issuance of a Summons and Affidavit against Dominick Trinca, M. D. (hereinafter "Dr. Trinca" or "Licensee") setting forth six (6) counts of violation of Miss. Code Ann. Sections 73-25-29 and 73-25-83;

WHEREAS, Licensee was present, represented by Honorable Doug Mercier. Complaint Counsel for the Board was Honorable Stan T. Ingram. Sitting as legal advisor to the Board was Honorable Heather Wagner, Assistant Attorney General. Board members present for all proceedings were S. Randall Easterling, M.D., President; William S. Mayo, D.O., Larry B. Aycock, M.D., Claude D. Brunson, M.D., Rickey L. Chance, D.O., Virginia M. Crawford, M.D., Phillip T. Merideth, M.D., J.D., Charles D. Miles, M.D., and William B. Jones, M.D.

WHEREAS, prior to initiation of the hearing, Licensee through his counsel presented a possible settlement of all charges as set forth in the Summons and Affidavit. Upon consideration, the Board finds the request well taken and hereby

sets forth the disciplinary terms and conditions to be imposed in lieu of a full evidentiary hearing.

NOW, THEREFORE, the Mississippi State Board of Medical Licensure does hereby indefinitely suspend Licensee's certificate (No.14017) to practice medicine in the State of Mississippi.

IT IS FURTHER ORDERED that upon expiration of one (1) year from the date of entry of this order, Licensee shall have the right, but not the obligation, to petition the Board for reinstatement of licensure. Any petition for reinstatement shall be considered pursuant to Miss. Code Ann. Section 73-25-32.

IT IS FURTHER ORDERED, that Licensee shall reimburse the Board of all costs incurred in relation to the pending matter pursuant to Miss. Code Ann. Section 73-25-30. 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 date of mailing of the notification.

SO ORDERED, this the 16th day of January, 2014.

MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE

BY:


S. Randall Easterling, M.D., President

AGREED, this the 24 day of February, 2014.


Dominick Trinca, M.D.

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

OF

DOMINICK TRINCA, M. D.

AGREED ORDER

WHEREAS, on this date, the matter of the physician's license of DOMINICK TRINCA, M. D. came on regularly for hearing before the Mississippi State Board of Medical Licensure ("Board"), pursuant to Title 73, Chapter 25 of Mississippi Code (1972) Annotated. The Board initiated these proceedings on December 17, 2013, by issuance of a Summons and Affidavit against Dominick Trinca, M. D. (hereinafter "Dr. Trinca" or "Licensee") setting forth six (6) counts of violation of Miss. Code Ann. Sections 73-25-29 and 73-25-83;

WHEREAS, Licensee was present, represented by Honorable Doug Mercier. Complaint Counsel for the Board was Honorable Stan T. Ingram. Sitting as legal advisor to the Board was Honorable Heather Wagner, Assistant Attorney General. Board members present for all proceedings were S. Randall Easterling, M.D., President; William S. Mayo, D.O., Larry B. Aycock, M.D., Claude D. Brunson, M.D., Rickey L. Chance, D.O., Virginia M. Crawford, M.D., Philip T. Merideth, M.D., J.D., Charles D. Miles, M.D., and William B. Jones, M.D.

WHEREAS, prior to initiation of the hearing, Licensee through his counsel presented a possible settlement of all charges as set forth in the Summons and Affidavit. Upon consideration, the Board finds the request well taken and hereby

sets forth the disciplinary terms and conditions to be imposed in lieu of a full evidentiary hearing.

NOW, THEREFORE, the Mississippi State Board of Medical Licensure does hereby indefinitely suspend Licensee's certificate (No.14017) to practice medicine in the State of Mississippi.

IT IS FURTHER ORDERED that upon expiration of one (1) year from the date of entry of this order, Licensee shall have the right, but not the obligation, to petition the Board for reinstatement of licensure. Any petition for reinstatement shall be considered pursuant to Miss. Code Ann. Section 73-25-32.

IT IS FURTHER ORDERED, that Licensee shall reimburse the Board of all costs incurred in relation to the pending matter pursuant to Miss. Code Ann., Section 73-25-30. 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 date of mailing of the notification.

SO ORDERED, this the 16th day of January, 2014.


**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY:



S. Randall Easterling, M.D., President

AGREED, this the 24 day of February, 2014.



Dominick Trinca, M.D.

MARCH 2014

**MINUTES
EXECUTIVE COMMITTEE MEETING
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
MARCH 19, 2014**

MEMBERS PRESENT:

S. Randall Easterling, M.D., Vicksburg, President
Virginia M. Crawford, M.D., Hattiesburg, Vice President
Larry B. Aycok, M.D., McComb, Secretary

ALSO PRESENT:

H. Vann Craig, M.D., Director
Stan T. Ingram, Complaint Counsel for the Board
Ellen O'Neal, Assistant Attorney General
Rhonda Freeman, Bureau Director, Licensure Division
Thomas Washington, Bureau Director, Investigative Division
Frances Carrillo, Special Projects Officer, Investigative Division
Jonathan Dalton, Investigator, Investigative Division
Sherry H. Pilgrim, Staff Officer

ABSENT:

Leslie Ross, Investigations Supervisor

The Executive Committee of the Mississippi State Board of Medical Licensure met on Wednesday, March 19, 2014, at 1:25 p.m. in the Board Room of the Office of the Board located at 1867 Crane Ridge Drive, Jackson, Mississippi.

PRESENTATION BY PETER ANTALL, M.D., WITH AMERICAN WELL

Dr. Craig introduced Dr. Antall and advised why the Executive Committee had invited him to appear and present a presentation of how American Well practices. Dr. Antall thanked the Board for allowing him the opportunity to visit, to present information, and to respond to the Board's questions.

DR. EASTERLING ARRIVED AT 1:35 P.M.

Dr. Antall handed out a booklet of information about the company and how they perform telehealth services. Dr. Antall advised that they are based in Boston, MA., and that he is the current head of the online care group. Dr. Antall addressed how they provide technology online and advised that they adhere to state regulations and guidelines. Dr. Antall advised that they do not prescribe any controlled substances or

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muscle relaxers to name a few medications. Dr. Antall advised the practice occurs in the state where the patient is located and that they keep medical records that are available. Dr. Antall advised how they try to make sure that each patient is who they claim to be. Also, Dr. Antall advised how the patient has a choice of physicians available and that they are allowed to choose from the list.

Following several questions from the Executive Committee, Dr. Easterling thanked Dr. Antall for his informative presentation and advised that the Executive Committee would present the matter to the Full Board on Thursday and advise should there be any further questions and/or problems.

PERSONAL APPEARANCE BY STEPHEN ALLEN COACHYS, M.D., MADISON, MISSISSIPPI MEDICAL LICENSE NUMBER 17784

Dr. Craig advised that Dr. Coachys was at the Executive Committee in January, and that afterwards he was sent a proposed Consent Order. Dr. Coachys has requested to appear before the Executive Committee to request changes. Dr. Craig advised that Dr. Coachys has signed and returned the proposed Consent Order, but wanted to request changes before the Consent Order becomes effective, if possible.

Dr. Coachys joined the Executive Committee meeting and was not represented by legal counsel. Mr. Ingram introduced Dr. Coachys and advised that he had executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

Dr. Coachys addressed the Executive Committee and thanked them for their time. Dr. Coachys covered the proposed Consent Order and advised corrective action that he has put into place and requested that the Executive Committee reconsider the restrictions that were being placed on his medical license. There was a brief discussion about several prescriptions written by Dr. Coachys after the Board had informed him not to prescribe any II or III scheduled drugs. Dr. Coachys advised that he was waiting on the Board's proposal and had written the prescriptions during the time between the meeting and when he got the Board's Consent Order.

Following several questions by the Executive Committee, motion was made by Dr. Crawford, seconded by Dr. Aycock and carried that the Executive Committee enter into Executive Session to discuss a matter that could possibly lead to disciplinary action.

Following a motion by Dr. Crawford, seconded by Dr. Aycock, the Executive Committee came out of Executive Session at which time Dr. Easterling advised that the Executive Committee unanimously agreed to take the matter to the Full Board on

EXECUTIVE COMMITTEE MINUTES

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Thursday for consideration. Dr. Coachys was advised that he would need to be available at the meeting to make his request to the Full Board.

PERSONAL APPEARANCE BY TRACEY PETRIDES, M.D., SOUTHAVEN, MISSISSIPPI MEDICAL LICENSE NUMBER 17839, AND CINDI FOX KAUVEIYAKUL, PA, OCEAN SPRINGS, MISSISSIPPI PA LICENSE NUMBER 00086

Dr. Craig advised that Dr. Petrides and PA Fox had been invited to appear before the Executive Committee to address why they practiced without an approved protocol.

Dr. Petrides and PA Fox joined the Executive Committee meeting and were introduced. Dr. Petrides and PA Fox had executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

Dr. Petrides addressed the Executive Committee and advised that PA Fox was hired through Urgent Care and it was an oversight by both of them as they had thought that the matter was handled by Urgent Care, when in fact that was not the case. PA Fox did admit that she had seen patients without an approved protocol.

Following several questions from the Executive Committee, it was discovered that they were working in separate locations that were beyond the mileage accepted by the Board's rules and regulations and that effectively PA Fox was working independently.

Motion was made by Dr. Crawford, seconded by Dr. Aycock and carried that the Executive Committee enter into Executive Session to discuss a matter that could possibly lead to disciplinary action.

Following a motion by Dr. Crawford, seconded by Dr. Aycock, and carried the Executive Committee came out of Executive Session at which time Dr. Easterling asked Dr. Aycock to report on their decision. Dr. Aycock advised that the Executive Committee will recommend to the Full Board that both Dr. Petrides and PA Fox be issued Non-Public Letters of Concern for working without an approved protocol and the need to establish a true collaborative relationship. Also, they need to work together in Horn Lake as Dr. Petrides is not approved to collaborate with a PA in the Batesville clinic due to violating the Board's rules and regulations concerning distance.

PERSONAL APPEARANCE BY TODD L. FULCHER, M.D., SANDHILL, MISSISSIPPI MEDICAL LICENSE NUMBER 12503

Dr. Craig advised that Dr. Fulcher had been invited to appear before the

EXECUTIVE COMMITTEE MINUTES

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Executive Committee to discuss his collaborative practices, the distance each APRN practices from his primary location, and his involvement with Care Here.

Investigator Dalton addressed the Executive Committee and discussed free standing clinic applications that he had received and advised that the distance between the APRN and physician were beyond what the Board's current rules and regulations allow. Investigator Ware also addressed the Executive Committee and addressed concerns with dispensing issues, and that the APRN's were dispensing meds when the rules and regulations for the Board of Nursing does not allow them to do so. Also, it was noted that Dr. Fulcher has not listed any free standing clinics on his last two (2) license renewals.

Dr. Fulcher joined the meeting and was not represented by legal counsel. Mr. Ingram introduced Dr. Fulcher to the Executive Committee and advised that he had executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

Dr. Craig briefly explained to Dr. Fulcher why he had been invited to appear and asked that he respond to the Executive Committee. Dr. Fulcher advised that he is the medical director of five (5) nursing homes all owned by different companies. Dr. Fulcher stated that he supervises very closely the two (2) full-time and three (3) part-time APRNs that he employs. When advised that the distance between his primary location and the APRNs exceeds the Board's rules and regulations, Dr. Fulcher stated it was ignorance on his part for not being compliant with the Board's rules and regulations.

Dr. Fulcher explained his association with Care Here and how he initially helped Farm Bureau in their start up. Dr. Fulcher advised that he did dispense medications but that Farm Bureau had purchased the medications that he dispensed. Dr. Fulcher stated that he was no longer working there.

Following a motion by Dr. Aycock, seconded by Dr. Crawford, and carried the Executive Committee went into Executive Session to discuss a matter which could possibly lead to disciplinary action.

Following a motion by Dr. Crawford, seconded by Dr. Aycock, the Executive Committee came out of Executive Session at which time Dr. Easterling advised that the Executive Committee would recommend to the Full Board on Thursday to issue Dr. Fulcher a Non-Public Letter of Concern recommending that he: 1) familiarize himself with the rules and regulations of the medical board pertaining to collaborative agreements between physicians and APRNs, 2) understand that he can't have an APRN further than 15 miles away while he or she is working at anytime, 3) if he wants

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to have an APRN further than 15 miles, he has to apply for a free standing clinic. A free standing clinic is defined by this Board as within the same community or generally 30 miles, and 4) you can have an APRN in Columbus if you are in Jackson if that APRN has a backup physician also on your protocol within the 15 miles when he or she is practicing. In essence, you must either be within 15 miles or have a backup physician within the 15 miles of the PA or APRN when they are working, or they are not allowed to practice. If they do practice during this time, you are in violation of your collaborative agreement with the Board.

PERSONAL APPEARANCE BY SHUNDA LYNETTE GARNER, M.D., JACKSON, MISSISSIPPI MEDICAL LICENSE NUMBER 16790

Dr. Craig discussed why Dr. Garner had been invited to appear before the Executive Committee and advised that through her attorney, Dr. Garner had requested that her appearance be rescheduled until May. It was the recommendation of Dr. Craig that in lieu of an informal appearance, the investigative staff will prepare the necessary papers for service of a summons and affidavit to be heard at the May meeting.

DISCUSS PHYSICIAN ASSISTANT 120 DAY RULE

- 1) ERIC J. ZOOG, M.D.**
- 2) MISSISSIPPI ACADEMY OF PHYSICIAN ASSISTANTS AND MISSISSIPPI COLLEGE PA PROGRAM**

Dr. Craig advised that Dr. Zoog as well as the Mississippi Academy of Physician Assistants and Mississippi College PA Program had requested clarification concerning the Board's rules and regulations pertaining to the 120 day rule.

Dr. Zoog addressed the Executive Committee and wanted to know if the intent of 120 day rule was that the PA had to work exclusively with the primary supervisor or could it be a combination of the primary and backup supervisors. Dr. Easterling expressed that he was in favor of working the 120 days with the primary and backups.

Dr. Grantham, with MEA, was also present and discussed how they work with their mid-level providers and was requesting that the 120 days would be counted when working with both the primary and backup supervisors.

The Mississippi Academy of Physician Assistants (MAPA) had sent a letter requesting clarification of the 120 days. MAPA wanted to know if it is 120 calendar days or 120 work days for a new PA. After a brief discussion, the Executive Committee agreed that it is the Board's intent for the new PA graduate to work a total of 120 days and not 120 calendar days. The Executive Committee agreed that the PA only has to complete the 120 days one time, but that the primary collaborative physician is held

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responsible when there is shared responsibility in the training.

Following further discussion, motion was made by Dr. Aycok, seconded by Dr. Crawford, and carried that backups need to be on the PA's protocol to work and that the Executive Director can allow backup physicians to count in the 120 days subject to his approval.

REVIEW OF MARCH 20, 2014 BOARD AGENDA

Dr. Craig briefly reviewed the agenda for tomorrow's meeting.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:00 p.m.



**S. RANDALL EASTERLING, M.D.
PRESIDENT**

Minutes taken and transcribed
by Sherry H. Pilgrim
Staff Officer
March 20, 2014

**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**

I, Stephen Allen Coachys, 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 the pending investigation of my license by the Board, the grounds if any for disciplinary action, and possible resolution of the same. 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 disciplinary action against my license.
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 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 19TH day of MARCH, 2014.

Witness: Sherry Pilgrim

Stephen Coachys
LICENSEE
STEPHEN COACHYS MD
NAME PRINTED

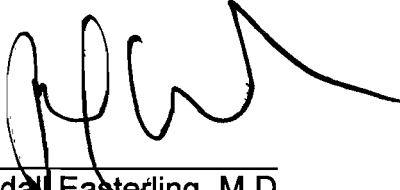
**EXECUTIVE SESSION - EXECUTIVE COMMITTEE
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
MARCH 19, 2014**

AGENDA ITEM: Personal appearance by Stephen Allen Coachys, M.D.

In a motion by Dr. Crawford, seconded by Dr. Easterling, and carried the Executive Committee made the decision to take Dr. Coachys' request to the Full Board on Thursday for consideration.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
S. Randall Easterling, M.D.	X			
Virginia M. Crawford, M.D.	X			
Larry B. Aycock, M.D.	X			

With a motion by Dr. Crawford, seconded by Dr. Aycock, the Executive Committee came out of Executive Session.



S. Randall Easterling, M.D.
President

**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**

I, **Tracey Petrides, M.D.**, have been asked to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss issues which may relate to my practice and possible the grounds, if any, for disciplinary action, and possible resolution of the same. 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:

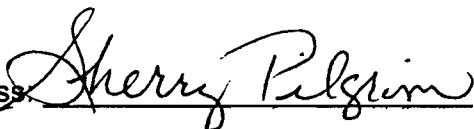
1. During the meeting, the Executive Committee may or may not be represented by legal counsel. Notwithstanding, I understand that I have a right, if I so choose, to employ legal counsel and have counsel present during the informal meeting.
2. I authorize the Committee Members to review and examine any statements, documentary evidence, or materials concerning the possible grounds for disciplinary action against my license.
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 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 19 day of March, 2014.


LICENSEE

Witness: 

**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**

I, **Cindi Fox Kauveyakul, PA.**, have been asked to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss issues which may relate to my practice and possible the grounds, if any, for disciplinary action, and possible resolution of the same. 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 disciplinary action against my license.
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 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 19 day of MARCH, 2014.



LICENSEE

Witness Sherry Pilgrim


**EXECUTIVE SESSION - EXECUTIVE COMMITTEE
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
MARCH 19, 2014**

AGENDA ITEM: Personal appearance by Tracey Petrides, M.D., and Cindi Fox - Kayveyiakul, PA

In a motion by Dr. Crawford, seconded by Dr. Easterling, and carried the Executive Committee made the decision to issue non-public letters of concern to both individuals advising them to establish a true collaborative relationship at Horne Lake. Also, advise Dr. Petrides that she will not be approved for a collaborative relationship with PA Fox in the Batesville Clinic.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
S. Randall Easterling, M.D.	X			
Virginia M. Crawford, M.D.	X			
Larry B. Aycock, M.D.	X			

With a motion by Dr. Crawford, seconded by Dr. Aycock, the Executive Committee came out of Executive Session.



S. Randall Easterling, M.D.
President

**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**

I, **Todd L. Fulcher, M.D.**, have been asked to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss issues which may relate to my practice and possible the grounds, if any, for disciplinary action, and possible resolution of the same. 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 disciplinary action against my license.
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 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 19 day of March, 2014.

LICENSEE

Witness:

Sherry Pelgrim

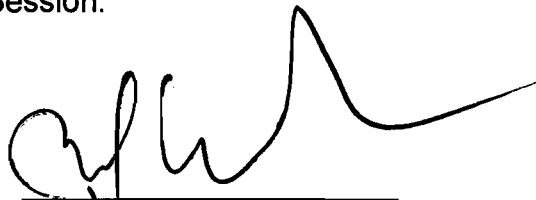
**EXECUTIVE SESSION - EXECUTIVE COMMITTEE
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
MARCH 19, 2014**

AGENDA ITEM: Personal appearance by Todd Fulcher, M.D.

In a motion by Dr. Crawford, seconded by Dr. Aycock, and carried the Executive Committee made the decision to issue a non-public letter of concern to Dr. Fulcher concerning his collaborative relationships with APRNs advising: 1) Dr. Fulcher needs to familiarize himself with the rules and regulations of the medical board pertaining to collaborative relationships, 2) you have to understand that you can't have an APRN further than 15 miles from you while they are working, 3) if you want to have an APRN further than 15 miles, you have to apply for a free standing clinic. A FSC is defined by the Board as within the same community or generally 30 minutes or 30 miles, and 4) you can have an APRN in Columbus if they have a backup physician on their protocol and that physician in within the 15 miles or they cannot work. .

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
S. Randall Easterling, M.D.	X			
Virginia M. Crawford, M.D.	X			
Larry B. Aycock, M.D.	X			

With a motion by Dr. Crawford, seconded by Dr. Aycock, the Executive Committee came out of Executive Session.



S. Randall Easterling, M.D.
President

BOARD

MEETING

MINUTES

BOARD MINUTES
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
MARCH 20, 2014

The regularly scheduled meeting of the Mississippi State Board of Medical Licensure was held on Thursday, March 20, 2014, in the Board Room of the Office of the Board located at 1867 Crane Ridge Drive, Jackson, Mississippi.

The following members were present:

S. Randall Easterling, M.D., Vicksburg, President
Virginia M. Crawford, M.D., Hattiesburg, Vice President
Larry B. Aycock, M.D., McComb, Secretary
Claude D. Brunson, M.D., Jackson
Rickey L. Chance, D.O., Ocean Springs
William B. Jones, M.D., Greenwood
William S. Mayo, D.O., Oxford
Philip T. Merideth, M.D., J.D., Jackson
Charles D. Miles, M.D., West Point

Also present:

H. Vann Craig, M.D., Director
Stan T. Ingram, Complaint Counsel for the Board
Ellen O'Neal, Assistant Attorney General
Rhonda Freeman, Bureau Director, Licensure Division
Thomas Washington, Bureau Director, Investigative Division
Leslie Ross, Investigations Supervisor
Frances Carrillo, Special Projects Officer, Investigative Division
Sherry H. Pilgrim, Staff Officer
Wesley Breland, Hattiesburg, Consumer Health Committee

Not present:

Charles Thomas, Yazoo City, Consumer Health Committee

The meeting was called to order at 9:00 a.m. by Dr. Easterling, President. The invocation was given by Dr. Mayo and the pledge was led by Dr. Chance. Dr. Easterling welcomed Melissa Magee, Court Reporter, and extended a welcome to all visitors present at the meeting.

Dr. Easterling opened the floor for public comments but there were none.

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March 20, 2014

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APPROVAL OF CERTIFICATION OF MISSISSIPPI LICENSES TO OTHER ENTITIES FOR THE PERIOD JANUARY 01, 2014, THROUGH FEBRUARY 28, 2014

Two hundred thirty-one (231) licenses were certified to other entities for the period January 01, 2014, through February 28, 2014. Motion was made by Dr. Mayo, seconded by Dr. Crawford, and carried unanimously to approve these certifications.

APPROVAL OF LICENSES ISSUED FOR THE PERIOD JANUARY 01, 2014, THROUGH FEBRUARY 28, 2014

Eighty-eight (88) licenses were issued for the period January 01, 2014, through February 28, 2014. Motion was made by Dr. Miles, seconded by Dr. Mayo, and carried unanimously to approve these licenses.

REVIEW OF MINUTES OF THE EXECUTIVE COMMITTEE MEETING DATED JANUARY 15, 2014, AND MINUTES OF THE BOARD MEETING DATED JANUARY 16, 2014

Minutes of the Executive Committee Meeting dated January 15, 2014, and Minutes of the Board Meeting dated January 16, 2014, were reviewed. Dr. Crawford moved for approval of the minutes as submitted. Dr. Mayo seconded the motion and it carried unanimously.

REPORT OF MARCH 19, 2014, EXECUTIVE COMMITTEE MEETING

Dr. Craig briefly covered the appearances and issues that were discussed/approved by the Executive Committee on March 19, 2014. Information pertaining to the Executive Committee decisions is included in the Executive Committee Minutes dated March 19, 2014.

Prior to a motion being made on the Executive Committee's decisions, Dr. Easterling asked that the Board vote on all the issues except the appearances by Dr. Petrides and PA Fox-Kauveyakul matter as he felt the matter needed to be set aside and discussed individually.

Motion was made by Dr. Mayo, seconded by Dr. Chance, and carried of the Board's decision to ratify the actions/decisions of the Executive Committee with the exception of the appearances by Dr. Petrides and PA Fox-Kauveyakul which are to be further discussed.

Dr. Easterling advised that from the information received at the Executive Committee meeting, the collaborative relationship requested is for a clinic site where

BOARD MINUTES

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the PA was hired by a company to work in a free standing clinic and not physically onsite with the physician as described in the Board's rules and regulations. Dr. Easterling advised that essentially PA Fox-Kauveyiakul would be practicing independently the majority of the time and he was requesting feedback from the Board.

After discussing, the Board agreed that the Board's model for a PA is to work with the physician by our rules and regulations. The rules and regulations require in the same community which the Board has agreed to 30 minutes or 30 miles and the distance between Dr. Petrides and PA Fox-Kauveyiakul exceeds both.

Motion was made by Dr. Mayo, seconded by Dr. Miles, and carried to vote against the Executive Committee's recommendation as their request exceeds the Board's current rules and regulations and to send letters to both individuals so advising.

Following further discussion to clarify the matter, a second motion was made by Dr. Mayo, seconded by Dr. Miles, and carried that the physician and physician assistant relationship, per the intent of the Board's rules and regulations, should be within the same practice and not at a site where the physician assistant is offsite even though they can practice in separate offices in the same office location.

The Board also agreed that community defines what is allowed by a free standing clinic concept and not the model by which physician assistants practice. The Board requested that Dr. Craig advise the physician and physician assistant that they have to be a part of each other's practice under the current Board's rules and regulations.

REPORTS FROM COMMITTEES

Scope of Practice - Dr. Brunson (Chair), Dr. Easterling, Dr. Jones, Dr. Chance
Dr. Miles, Mr. Thomas

Dr. Brunson advised there was no new information to report but stated their intention is to start work on revisions to the Board's rules and regulations concerning collaborative relationships.

Professionals Health Program - Dr. Chance (Chair), Dr. Crawford, Dr. Aycock

Dr. Chance advised there was no new information to report.

Rules, Regulation & Legislative - Dr. Mayo (Chair), Dr. Easterling, Dr. Jones
Dr. Miles, Mr. Breland

BOARD MINUTES

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Dr. Mayo advised that the Board's attempt for several new bills was unsuccessful this year, but that the Prescription Monitoring Program was approved again.

Ethics - Dr. Crawford (Chair), Dr. Merideth, Dr. Aycock

Dr. Crawford advised there was no new information to report.

Telemedicine / EHR - Dr. Aycock (Chair), Dr. Merideth, Dr. Brunson

Dr. Aycock advised that the committee had not met but that a proposed model policy from the Federation will be reviewed and voted on in April at the Federation's meeting. Dr. Aycock stated that he feels the Board needs to review and work towards adopting, most if not all, as the Board's regulation.

Licensure Process - Dr. Brunson (Chair), Dr. Craig, Ms. Freeman

Dr. Brunson advised that he had had discussions with Ms. Freeman and Mr. Washington to get a better understanding of how the office works. He plans on making contacts at the Federation meeting to see how other states are handling the process.

OTHER BUSINESS

Dr. Easterling recognized Neely Carlton, General Counsel for MSMA, and she provided the Board with an update on legislative bills and requests for this year. Ms. Carlton explained what happened and why many of the Board's legislative bills died in committee. Also, Ms. Carlton provided an update on the Board's appropriation bill and the Board's request to get the two (2) lost pins reinstated.

PERSONAL APPEARANCE BY STEPHEN ALLEN COACHYS, M.D., MADISON, MISSISSIPPI MEDICAL LICENSE NUMBER 17784, APPROVAL OF PROPOSED CONSENT ORDER

Dr. Easterling advised that Dr. Coachys appeared before the Executive Committee yesterday and requested that the Board make some changes to the proposed Consent Order. Dr. Easterling advised that the Executive Committee agreed to bring the matter before the Full Board for consideration.

Mr. Ingram introduced Dr. Coachys and advised that he was here today without counsel to request that the Board revisit restrictions being placed on his medical license. Mr. Ingram advised that Ellen O'Neal, Assistant Attorney General, would like to question him regarding legal representation. Following questions from Ms. O'Neal, Dr. Coachys stated that he wanted to waive his right to an attorney and proceed without

BOARD MINUTES

March 20, 2014

Page 5

legal counsel.

Dr. Coachys addressed the Board and provided his reasons for requesting that there be no restrictions on his class II and III prescribing, and advised that he was not taking any new ADHD or pain patients. Dr. Coachys advised how the restrictions would limit his practice and also advised that River Oaks has terminated his contract since he is not eligible to work with mid-level providers.

Following several questions from Board members, motion was made by Dr. Crawford, seconded by Dr. Mayo, and carried that the Board enter into Executive Session to discuss a matter which could possibly result in disciplinary action.

Following a motion by Dr. Crawford, seconded by Dr. Mayo, and carried the Board came out of Executive Session at which time Dr. Easterling asked Dr. Aycock to report on the Board's decision. Dr. Aycock advised that the Board voted not to amend the Consent Order and to advise Dr. Coachys that he may return to request lifting of the restrictions placed on his medical license after completion of the requirements listed in the Consent Order. A copy of the Consent Order is attached hereto and incorporated by reference.

HEARING IN THE CASE OF ROBERT S. CORKERN, M.D., GREENVILLE, MISSISSIPPI MEDICAL LICENSE NUMBER 12101, PETITION FOR REINSTATEMENT

Mr. Ingram addressed the Board and advised that Dr. Corkern's attorney had called and advised that they had realized that when they filed their petition to request to appear before the Board that it was less than the required 30 days and that they would like to be heard in May.

DR. MERIDETH ENTERED THE MEETING AT 10:12 A.M.

HEARING IN THE CASE OF THERESA LANE-FISHER, PA, JACKSON, MISSISSIPPI PA LICENSE NUMBER 00011

Mr. Ingram, Complaint Counsel for the Board, introduced PA Lane-Fisher and advised that she was here today without her counsel, Terris Harris. Mr. Ingram advised that PA Lane-Fisher had signed a voluntary surrender of license. Mr. Ingram briefly summarized the surrender and provided a brief background history of the matter.

Mr. Ingram asked Ms Fisher if she had any comments or if she wished to make a statement and she advised no. Several members of the Board attempted to ask Ms Fisher questions, but her answer was that her attorney advised her not to answer any

BOARD MINUTES

March 20, 2014

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questions.

Motion was made by Dr. Crawford, seconded by Dr. Mayo, and carried to accept PA Lane-Fisher's surrender. A copy of the surrender is attached hereto and incorporated by reference.

UPDATE ON GREENVILLE NEUROMODULATION CENTER'S DISTANCE EXPERT - DEEP BRAIN STIMULATION REQUEST

Dr. Craig advised that the Board had requested that he contact other states to see if anyone had been contacted by Greenville Neuromodulation. Dr. Craig advised that he had talked with Randal Manning, Executive Director of Maine, and he was unaware of the company. Also, Dr. Craig advised that he had requested an ExecNet be sent and that from the responses received, no one knew of the company and had not been contacted by them at this time.

OTHER BUSINESS

Dr. Easterling appointed a Nominating Committee to submit a slate of officers for the next year beginning in July. Dr. Easterling appointed Dr. Miles as Chair with Dr. Mayo and Dr. Chance as members. The Committee will make their recommendations at the May Board meeting.

CONSENT ORDER FOR MELVYN ABRAHAM LEVITCH, M.D., MEMPHIS, TN, MISSISSIPPI MEDICAL LICENSE NUMBER 15619

Dr. Craig advised that the Board had sent Dr. Levitch a Consent Order mirroring actions taken by Tennessee. Dr. Levitch has signed and returned the Order and is requesting the Board's approval.

Motion was made by Dr. Mayo, seconded by Dr. Crawford, and carried to accept the Consent Order mirroring Tennessee's actions. A copy of the Consent Order is attached hereto and incorporated by reference.

EMAIL CONCERNING PHYSICIAN ASSISTANTS OWNING CLINICS

Dr. Craig briefly covered an email that was sent and explained that basically it was asking if a PA could own a clinic and hire other physician assistants to work there. The Board agreed that we can't prohibit anyone from owning a clinic, but that at the present time a physician assistant is to work with a physician.

Following a brief discussion, Mr. Ingram advised that the Board may need to

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March 20, 2014

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look at amending the physician assistant regulations to address the situation. After a brief discussion, the Board agreed that we need the requirements for physician assistants and advanced practice registered nurses to be more along the same requirements.

EXECUTIVE SESSION TO DISCUSS ITEM

Dr. Craig advised that there was a matter that would require that the Board enter into Executive Session to discuss a matter that could possibly adversely affect a physician's license, and further requested that Dr. Hambleton be allowed to participate in the discussion.

Motion was made by Dr. Mayo, seconded by Dr. Chance, and carried that the Board enter into Executive Session to discuss a matter that could adversely affect a physician's license.

Following a motion by Dr. Mayo, seconded by Dr. Aycock, and carried the Board came out of Executive Session at which time Dr. Easterling asked Dr. Aycock to report on the Board's decision. Dr. Aycock advised that the Board agreed not to send the proposed letter drafted by Dr. Craig to the physician that was discussed.

ADJOURNMENT

There being no further business, the meeting adjourned at 11:15 a.m., with the next scheduled meeting for Thursday, May 15, 2014.



S. RANDALL EASTERLING, M.D.
President

Minutes taken and transcribed
by Sherry H. Pilgrim
Staff Officer
March 20, 2014

**EXECUTIVE SESSION
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
MARCH 20, 2014**

AGENDA ITEM: Personal appearance by Stephen Allen Coachys, M.D.

In a motion made by Dr. Mayo, seconded by Dr. Crawford, and carried the Board's decision is not to amend the Consent Order. Also, the Board agreed that Dr. Coachys can return after completion of the requirements of the Consent Order to request lifting of the restrictions.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Larry B. Aycock, M.D.	X			
Claude D. Brunson, M.D.	X			
Rickey L. Chance, D.O.	X			
Virginia M. Crawford, M.D.	X			
S. Randall Easterling, M.D.	X			
William B. Jones, M.D.	X			
William S. Mayo, D.O.	X			
Philip T. Merideth, M.D., J.D.				X
Charles D. Miles, M.D.	X			

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



S. Randall Easterling, M.D.
President

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF PHYSICIAN'S LICENSE

OF

STEPHEN ALLEN COACHYS, M.D.

CONSENT ORDER

WHEREAS, STEPHEN ALLEN COACHYS, M.D., hereinafter referred to as "Licensee," is the current holder of Mississippi Medical License No. 17784; said license current until June 30, 2014;

WHEREAS, the Investigative Staff of the Mississippi State Board of Medical Licensure, hereinafter referred to as the "Board," conducted a comprehensive investigation into the medical practice of Licensee in Jackson, Mississippi, and the surrounding area, and has in its possession evidence which, if produced during the course of an evidentiary hearing, would substantiate that Licensee has administered, dispensed or prescribed drugs having addiction-forming or addiction-sustaining liability otherwise than in the course of legitimate professional practice; and has violated the Administrative Code of the Board, "Pertaining to Prescribing, Administering and Dispensing of Medication."

WHEREAS, the above conduct, if established before the Board, constitutes violations of the Mississippi Medical Practice Act, specifically, Section 73-25-29(3), (8)(d), (13), and Section 73-25-83(a), Miss. Code (1972) Ann., for which the Board 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, it is the desire of Licensee to avoid an evidentiary hearing before the Board and, in lieu thereof, has agreed to enter into this Consent Order subject to the terms, conditions and restrictions as specified below;

NOW, THEREFORE, the Mississippi State Board of Medical Licensure with consent of Licensee as signified by his joinder herein, does hereby place the following restrictions on Licensee's certificate (No. 17784) to practice medicine in the State of Mississippi, to-wit:

1. Until otherwise authorized by the Board, Licensee shall be prohibited from prescribing, administering or dispensing any controlled substances in Schedules II, IIN, III, and IIIN. After expiration of one (1) year from the date of this Consent Order, Licensee shall have the right but not the obligation to petition the Board for reinstatement of prescriptive authority in Schedules II, IIN, III, and IIIN. Upon receipt of the petition, Licensee shall appear before the Board at the first available meeting date to review his compliance and request removal of restrictions.
2. Licensee shall attend and successfully complete Continuing Medical Education (CME) courses in the following areas: (1) proper prescribing of controlled substances and (2) medical ethics. The CME courses required herein shall be American Medical Association (AMA) approved Category I credits. Any credit received for such courses shall be in addition to the usual forty (40) hours of Category I credits required by Board regulation. Licensee will be required to be on-site while taking any and all CME courses. On-line CME is not permitted. Following completion of each course, Licensee shall submit to the Board documentary proof of successful completion. Successful completion of all CME as provided herein shall be completed prior to any petition by Licensee seeking removal of restrictions.
3. Licensee shall report in writing to the Board within fifteen (15) days should his medical license in any state be subject to investigation or disciplinary action.

4. Licensee's medical practice shall be subject to periodic surveillance. The Board's Director, any member of the Board, or Investigator for the Board may perform an unannounced inspection of any clinic wherein Licensee practices, which may include a chart review of selected patient files.
5. Licensee shall obey all federal, state and local laws, and all rules and regulations governing the practice of medicine.
6. Violation of any provisions(s) of the Medical Practice Act, the Mississippi Uniform Controlled Substances Law, the rules and regulations of the Board, or any provision of this Order, shall be grounds for immediate lifting of the stay as provided herein and suspension of Licensee's Mississippi medical license for a period of one (1) year from the date of the offense. In the event of such immediate action, Licensee shall be entitled to a hearing on the matter before the Board at the first available meeting date following the suspension.
7. Licensee shall reimburse the Board for all costs incurred in relation to the pending matter pursuant to Miss. Code Ann., § 73-25-30, said amount not to exceed \$10,000. Licensee shall be advised of the total assessment by separate written notification, and shall tender to the Board 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 the assessment is mailed to Licensee via U.S. Mail to Licensee's current mailing address.

Licensee understands and expressly acknowledges that this Consent Order, when 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.

It is not the intent or purpose of this Order to encourage malpractice liability as a result of Board action. Therefore, by execution of this Consent Order, Licensee is not admitting to or acknowledging any conduct or act of malpractice. Accordingly, this order shall not be used against Licensee in any proceeding other than before the Board.

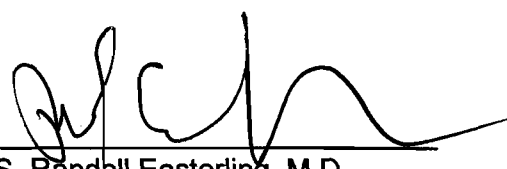
Recognizing his right to notice of charges specified against him, to have such charges adjudicated pursuant to Miss. Code Ann. § 73-25-27 (1972), to be represented therein by legal counsel of his choice, and to a final decision rendered upon written findings of fact and conclusions of law, **STEPHEN ALLEN COACHYS, M.D.**, nevertheless, 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 the aforementioned restrictions on his license to practice medicine in the State of Mississippi for the period of terms stated above.

Executed, this the 8th, day of FEBRUARY 2014.



STEPHEN ALLEN COACHYS, M.D.

ACCEPTED AND APPROVED, this the 20th, day of March
2014, by the Mississippi State Board of Medical Licensure.



S. Randall Easterling, M.D.
PRESIDENT

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN ASSISTANT LICENSE

OF

THERESA LEIJUAN LANE-FISHER, P.A.

SURRENDER OF PHYSICIAN ASSISTANT LICENSE

WHEREAS, THERESA LEIJUAN LANE-FISHER, P.A., hereinafter referred to as "Licensee," is the current holder of License Number PA00011 issued on July 1, 2001, to practice medicine as a Physician Assistant in the State of Mississippi;

WHEREAS, Licensee has appeared on two previous occasions before the Board regarding the physician supervision of her practice as a physician assistant;

WHEREAS, the Investigative Staff of the Board conducted a comprehensive investigation into the practice of Licensee in Jackson, Mississippi, and documented evidence indicating that Licensee has practiced independently, without a supervisory physician, for a period of at least one (1) year;

WHEREAS, Licensee was interviewed regarding her practice and misrepresented herself to Board Investigators by claiming to have a current supervisory physician when, in fact, Licensee had no current supervisory physician;

WHEREAS, Licensee has falsely represented herself as a physician through various means, such as the failure to wear identifying credentials and the failure to post signage identifying the school of training of Licensee;

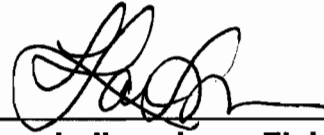
WHEREAS, such conduct constitutes grounds for which the Mississippi State Board of Medical Licensure may place Licensee's physician assistant license on probation, the terms of which may be set by the Board, suspend her right to practice for a time deemed proper by the Board, revoke said license, or take any other action in relation to said license as the Board may deem proper under the circumstances;

WHEREAS, Licensee wishes to avoid an evidentiary hearing before the Board by voluntarily relinquishing her right to practice medicine as a physician assistant in the State of Mississippi. Pursuant to Mississippi Code, § 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 Surrender by the Board and notice to Licensee;

NOW, THEREFORE, Licensee hereby voluntarily surrenders her physician assistant license (Number PA00011) to practice medicine in the State of Mississippi. Licensee understands that this is an unconditional surrender, is reportable as disciplinary action to the National Practitioner Data Bank, and is a public record of the State of Mississippi. In the event Licensee later decides to practice medicine as a physician assistant in the State of Mississippi, it will be necessary for her to submit a new application with the Board. At such time, the Board reserves the right to utilize all

evidence, including all facts developed during the current investigation, as part of the consideration of any application.

EXECUTED this the 20th day of March, 2014.



Theresa Leijuan Lane-Fisher, P.A.

ACCEPTED AND APPROVED this the 20th day of March, 2014, by the Mississippi State Board of Medical Licensure.



**S. Randall Easterling, M.D., President
Mississippi State Board of Medical
Licensure**

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF PHYSICIAN'S LICENSE

OF

MELVYN ABRAHAM LEVITCH, M.D.

CONSENT ORDER

WHEREAS, Melvyn Abraham Levitch, M.D., hereinafter referred to as "Licensee," is the current holder of License No. 15619, issued September 29, 1997, for the practice of medicine in the State of Mississippi;

WHEREAS, the State of Tennessee Department of Health, pursuant to a complaint, conducted an investigation that included the review of eighteen (18) patient records prepared and kept by Licensee, reflecting treatment from 2009 to the present with controlled substances. Licensee consistently failed to appropriately document encounters, perform or obtain histories, perform physical examinations for patients receiving prescriptions for non-psychiatric drugs, document diagnoses, and document therapeutic plans for his patients.

WHEREAS on July 24, 2013, in Case Number 2013004491, Licensee entered into a Consent Order with the Tennessee Board of Medical Examiner Reprimanding Licensee's Tennessee medical license (MD3686). The Reprimand was based on evidence that Licensee had violated provisions of the Tennessee Medical Practice Act, Tenn. Code Ann. § 63-6-214(b)(1), which provides that "unprofessional, dishonorable or unethical conduct" is a ground for licensure discipline, and Tenn. Comp. R. & Regs Rule 0880-02-14(7)(a), which provides prerequisites to issuing prescriptions;

WHEREAS, Licensee, for the purpose of avoiding further administrative actions with respect to this cause, agreed to the following Terms and Conditions:

1. Respondent's Tennessee medical license number 3686 is hereby reprimanded.
2. Respondent must enroll in and successfully complete within six (6) months after entry of this Consent Order the Mississippi Professional Health Program 2013 Summit on Prescribing Controlled Substances.
3. Respondent must engage a practice monitor through Affiliated Monitors, Inc. Of Boston, Massachusetts within thirty (30) days of entry of this Order. Respondent shall be required to comply with all recommendations of Affiliated Monitors, and he shall be responsible for all costs relating to the monitoring agreement.
4. Pursuant to Tenn. Comp. R. & Reg. Rule 0880-02-.12, Respondent shall pay eighteen (18) Type B civil penalties of one hundred dollars (\$100.00) each, one for each patient chart reviewed by the Department, for a total amount of one thousand eight hundred dollars (\$1,800.00). These civil penalties are due within twelve (12) months of the entry of this order.
5. Respondent must pay, pursuant to T.C.A. § 63-6-214(k), the actual and reasonable costs of prosecuting this case to the extent allowed by law, including all costs and assessed against the Board by the Department's Office of Investigations in connection with the prosecution of this matter. These costs shall be established by an Assessment of Costs prepared and filed by counsel for the Department. The maximum amount for the Assessment of Costs shall be five thousand dollars (\$5,000.00). Costs are due within twelve (12) months of the issuance of the

Assessment of Costs. The Tennessee Board of Medical Examiners Consent Order is attached hereto as composite "Exhibit A," and incorporated herein by reference.

WHEREAS, pursuant to Subsections (8)(d) and (9) of Section 73-25-29, Mississippi Code (1972), Annotated, the aforementioned actions by the Tennessee Board of Medical Examiners constitute restrictions placed on his license in another jurisdiction, grounds 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 wishes to avoid a hearing before the Mississippi State Board of Medical Licensure and, in lieu thereof, has consented to certain restrictions 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 order that this Consent Order shall constitute a Reprimand of Licensee, and that Licensee is hereby reprimanded subject to the following terms and conditions:

1. Licensee shall comply with all terms and conditions of his Tennessee Board of Medical Examiners Order.
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, Administering and Dispensing of Medication".

3. Licensee must enroll in and successfully complete in six (6) months after entry of this Consent Order, the Mississippi Professional Health Program's Summit on Prescribing Controlled Substances.

Licensee shall reimburse the Board of all costs incurred in relation to the pending matter pursuant to Miss Code Ann., §73-25-30. 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 date Licensee receives the aforementioned notification.

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.

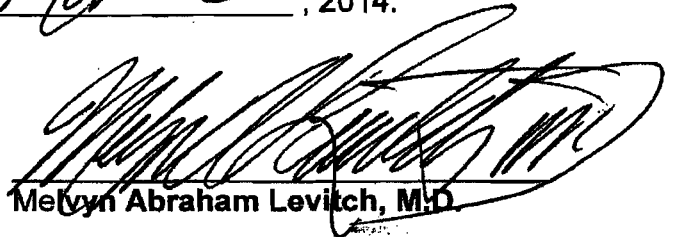
Should this Consent Order not be accepted by the Board, it is agreed that presentation to and consideration of this Consent Order and other documents and matters pertaining thereto by the Board shall not unfairly or illegally prejudice the Board or any of its members from participation in any further 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, Melvyn Abraham Levitch, 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.

Executed, this the 18, day of March, 2014.


Melvyn Abraham Levitch, M.D.

ACCEPTED AND APPROVED, this the 20th, day of March, 2014, by the Mississippi State Board of Medical Licensure.



S. Randall Easterling, M.D.
President

Exhibit A

STATE OF TENNESSEE
DEPARTMENT OF HEALTH

IN THE MATTER OF:)	BEFORE THE TENNESSEE BOARD
)	OF MEDICAL EXAMINERS
MELVYN A. LEVITCH, M.D.)	
RESPONDENT)	CASE NO: 2013004491
)	
MEMPHIS, TN)	
TENNESSEE LICENSE NO. 3686)	

CONSENT ORDER

Come now the Division of Health Related Boards of the Tennessee Department of Health ("Department"), by and through the Office of General Counsel, and Respondent, Melvyn A. Levitch, M.D. ("Respondent"), and respectfully move the Tennessee Board of Medical Examiners ("Board") for approval of this Consent Order.

The Board is responsible for the regulation and supervision of medical doctors licensed to practice in the State of Tennessee pursuant to Tennessee Code Annotated § 63-6-101, et seq. ("the Practice Act"). It is the policy of the Board to require strict compliance with the laws of this State and to apply the laws to preserve the quality of medical care provided in Tennessee. It is the Board's duty to enforce the Practice Act in such a manner as to promote and protect public health, safety and welfare in every practical way, including disciplining licensees who violate the Practice Act and the rules and regulations promulgated pursuant to the Practice Act.

The Respondent, by signature to this Consent Order, expressly waives all further procedural steps and all rights to seek judicial review of or to challenge or contest the validity of this Consent Order. Respondent agrees that presentation to and consideration of this Consent Order by the Board for ratification and all matters divulged during that process shall not constitute unfair disclosure such that the Board shall be prejudiced to the extent that requires disqualification from hearing this matter should this Order not be ratified. Likewise, all matters,

admissions and statements disclosed or exchanged during the attempted ratification process shall not be used against the Respondent in any subsequent proceeding unless independently entered into evidence or introduced as admissions.

Respondent understands that by signing this Consent Order Respondent is allowing the Board to issue this order without further process. In the event the Board rejects this Consent Order for any reason, it will be of no force or effect for either party.

I. Allegations of Fact

1. Respondent has been at all times pertinent hereto licensed by the Board as a medical doctor in the State of Tennessee, having been granted Tennessee medical license number 3686 by the Board on January 1, 1959.

2. Pursuant to a complaint, the Department conducted an investigation that included the review of eighteen (18) patient records prepared and kept by Respondent, reflecting treatment from 2009 to the present with controlled substances. Respondent consistently failed to appropriately document encounters, perform or obtain histories, perform physical examinations for patients receiving prescriptions for non-psychiatric drugs, document diagnoses, and document therapeutic plans for his patients.

3. With reference to Respondent's prescribing, Respondent did not generally prescribe large amounts of controlled substances and generally prescribed Schedule III or IV substances, with Schedule II substances prescribed less frequently. While Respondent's charts did occasionally reflect a diagnostic work-up, including testing, such testing often did not establish a legitimate basis for the prescriptions written. Respondent incorporates detailed intake forms to assist him in treating patients, and respondent consistently maintained pharmacy records and received reports from pharmacies if a patient was attempting to fill a prescription from

another provider. Respondent was diligent in requiring a contract with patients which included treatment guidelines and allowed for termination of treatment if patient was in violation of the contract. However, Respondent did not consistently and appropriately document his response to evidence of abuse and diversion by patients.

4. Respondent avers that he has implemented and will continue to enforce the following policies for any patient receiving controlled substances:

- a. Check the "Controlled Substance Monitoring Database" at the beginning of any course of treatment, at or before every patient encounter with a patient receiving controlled substances and at or before every refill of controlled substances, to ensure the patient is not receiving controlled substances from multiple providers, and take appropriate action if controlled substances are being received from someone else;
- b. Provide the necessary counseling on the side effects and risks of such controlled substances;
- c. Periodically require patients receiving long-term controlled substances to undergo a drug screen;
- d. Include a medication list for controlled substances prescribed; and
- e. Appropriately and frequently refer patients to other specialists when necessary.

II. Stipulations of Law

The Allegations of Fact herein constitute grounds for disciplining Respondent's medical license. Specifically, Respondent has violated the following provisions of the Practice Act, giving the Board authorization to take disciplinary action.

5. The facts stipulated in paragraphs 2 and 3 constitute a violation of Tenn. Code Ann. § 63-6-214(b)(1), which provides that "unprofessional, dishonorable or unethical conduct" is a ground for licensure discipline.

6. The facts stipulated in paragraphs 2 and 3 constitute a violation of Tenn. Comp. R. & Reg. Rule 0880-02-.14(7)(a), which provides prerequisites to issuing prescriptions. The following must have been done and appropriately documented:

1. Performed an appropriate history and physical examination; and
2. Made a diagnosis based upon the examinations and all diagnostic and laboratory tests consistent with good medical care; and
3. Formulated a therapeutic plan, and discussed it, along with the basis for it and the risks and benefits of various treatments options, a part of which might be the prescription or dispensed drug, with the patient; and
4. Insured availability of the physician or coverage for the patient for appropriate follow-up care.

III. Policy Statement

The Tennessee Board of Medical Examiners has a duty to protect the health, safety, and welfare of the citizens of Tennessee. The Board takes action against the Respondent to ensure both public confidence and the integrity of the medical profession are preserved.

IV. Order

Respondent, for the purpose of avoiding further administrative action with respect to this cause, agrees to the following:

7. Respondent's Tennessee medical license number 3686 is hereby *reprimanded*.

8. Respondent must enroll in and successfully complete within six (6) months after entry of this Consent Order the Mississippi Professionals Health Program 2013 Summit on *Prescribing Controlled Substances*. Upon completion, the Respondent shall mail or deliver proof of compliance of this course requirement to: Disciplinary Coordinator, The Division of Health Related Boards, Tennessee Department of Health, 665 Mainstream Drive, Nashville, Tennessee 37243. Any continuing medical education course hours earned from attendance and completion of the courses required by this paragraph shall be in addition to the hours required to maintain licensure.

9. Respondent must engage a practice monitor through Affiliated Monitors, Inc. of Boston, Massachusetts within thirty (30) days of entry of this Order. Respondent shall be required to comply with all recommendations of Affiliated Monitors, and he shall be responsible for all costs relating to the monitoring agreement. The monitoring agreement shall require the following:

- a. The monitoring shall continue for a period of three (3) years.
- b. Respondent shall have ten (10) patients' records reviewed quarterly by the practice monitor. The charts shall consist of patients seen within the prior (3) months and receiving controlled substances. The practice monitor shall randomly determine which records to review from a list of patients that meet the required criteria.
- c. Respondent shall comply with all recommendations of Affiliated Monitors.
- d. Respondent shall cause the practice monitor to issue a report of each review to:
Tennessee Board of Medical Examiners, Attn: Medical Director, 227 French

Landing Drive, Suite 300, Heritage Place Metro Center, Nashville, Tennessee
37243.

e. The report must detail the practice monitor's findings, specifically relating to the Respondent's medical record keeping pertaining to the following:

- 1) Respondent's documentation of appropriate physical examinations and histories, diagnostic testing, and alternative specialists consultations;
- 2) Respondent's documentation of the patient's prior medical history, including prior medical records;
- 3) Respondent's prescribing practices; including efforts to monitor for and appropriately respond to evidence of abuse and diversion; and
- 4) Respondent's documentation of treatment plans, including periodic review of the necessity for and effectiveness of treatment with controlled substances.

10. Pursuant to Tenn. Comp. R. & Reg. Rule 0880-02-.12, Respondent shall pay eighteen (18) Type B civil penalties of one hundred dollars (\$100.00) each, one for each patient chart reviewed by the Department, for a total amount of one thousand eight hundred dollars (\$1,800.00). These civil penalties are due within twelve (12) months of the entry of this order.

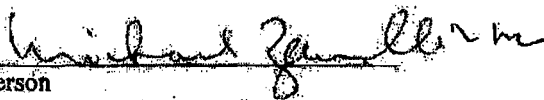
11. Respondent must pay, pursuant to T.C.A. § 63-6-214(k), the actual and reasonable costs of prosecuting this case to the extent allowed by law, including all costs assessed against the Board by the Department's Office of Investigations in connection with the prosecution of this matter. These costs shall be established by an Assessment of Costs prepared and filed by counsel

for the Department. The maximum amount for the Assessment of Costs shall be five thousand dollars (\$5,000.00). Costs are due within twelve (12) months of the issuance of the Assessment of Costs.


V. Notice

Any and all civil penalties and costs shall be paid in full within twelve (12) months from the issuance of the Assessment of Costs by submitting a certified check, cashier's check, or money order payable to the State of Tennessee, which shall be mailed or delivered to: Disciplinary Coordinator, The Division of Health Related Boards, Tennessee Department of Health, 227 French Landing, Suite 300, Heritage Place Metro Center, Nashville, Tennessee 37243. On or after October 1, 2013, any form of payment of costs should be mailed or delivered to: Disciplinary Coordinator, The Division of Health Related Boards, Tennessee Department of Health, 665 Mainstream Drive, Nashville, Tennessee 37243. A notation shall be placed on said check that it is payable for the costs of Melvyn A. Levitch, M.D.

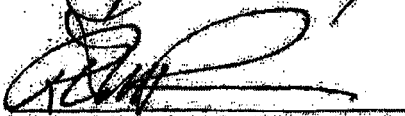
This Consent Order was approved by a majority of a quorum of the Tennessee Board of Medical Examiners at a public meeting of the Board and signed this 18 day of September, 2013.


Chairperson
Tennessee Board of Medical Examiners


APPROVED FOR ENTRY:


Melvin A. Lovitch, M.D.

9/16/13
Date


Robert Wayne McPherson
McPherson Law Firm
1621 Carr Avenue
Memphis TN 38104-5015
Phone: (901) 276-0716

9/16/13
Date


Mollie A. Gass, B.P.R. # 031130
Assistant General Counsel
Tennessee Department of Health
Office of General Counsel
220 Athens Way, Suite 210
Nashville, Tennessee 37243
Phone: (615) 741-1611

9/18/13
Date

CERTIFICATE OF SERVICE

I do hereby certify that a true and exact copy of the forgoing has been served via U.S. Mail, U.S. Certified Mail, and E-mail upon the following on the 10th day of September, 2013:

Melvyn A. Levitch
3960 Knight Arnold, Ste. 301
Memphis, TN 38118

Robert Wayne McPherson
McPherson Law Firm
1621 Carr Avenue
Memphis TN 38104-5015
Attorney for Respondent



Mollie A. Gass
Assistant General Counsel

**EXECUTIVE SESSION
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
MARCH 20, 2014**

AGENDA ITEM: Executive Session at the Request of the Executive Director to discuss an anonymous physician and possible adverse action

In a motion made by Dr. Mayo, seconded by Dr. Aycock, and carried the Board's decision was not to send the letter drafted by Dr. Craig to the anonymous physician.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Larry B. Aycock, M.D.	X			
Claude D. Brunson, M.D.	X			
Rickey L. Chance, D.O.	X			
Virginia M. Crawford, M.D.	X			
S. Randall Easterling, M.D.	X			
William B. Jones, M.D.	X			
William S. Mayo, D.O.	X			
Philip T. Merideth, M.D., J.D.	X			
Charles D. Miles, M.D.	X			

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



S. Randall Easterling, M.D.
President

MAY 2014

NOTE:

**THERE WAS NO EXECUTIVE
COMMITTEE MEETING HELD**

ON WEDNESDAY, MAY 14, 2014.

ALL MATERIAL FOR EC WAS INCLUDED

IN THE BOARD MEETING ON

THURSDAY, MAY 15, 2014.

BOARD MINUTES
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
MAY 15, 2014

The regularly scheduled meeting of the Mississippi State Board of Medical Licensure was held on Thursday, May 15, 2014, in the Board Room of the Office of the Board located at 1867 Crane Ridge Drive, Jackson, Mississippi.

The following members were present:

S. Randall Easterling, M.D., Vicksburg, President
Virginia M. Crawford, M.D., Hattiesburg, Vice President
Larry B. Aycock, M.D., McComb, Secretary
Claude D. Brunson, M.D., Jackson
Rickey L. Chance, D.O., Ocean Springs
William B. Jones, M.D., Greenwood
William S. Mayo, D.O., Oxford
Philip T. Merideth, M.D., J.D., Jackson
Charles D. Miles, M.D., West Point

Also present:

H. Vann Craig, M.D., Director
Stan T. Ingram, Complaint Counsel for the Board
Ellen O'Neal, Assistant Attorney General
Rhonda Freeman, Bureau Director, Licensure Division
Thomas Washington, Bureau Director, Investigative Division
Leslie Ross, Investigations Supervisor
Frances Carrillo, Special Projects Officer, Investigative Division
Sherry H. Pilgrim, Staff Officer
Wesley Breland, Hattiesburg, Consumer Health Committee

Not present:

Charles Thomas, Yazoo City, Consumer Health Committee

The meeting was called to order at 9:00 a.m. by Dr. Easterling, President. The invocation was given by Dr. Miles and the pledge was led by Dr. Crawford. Dr. Easterling welcomed Harvey Rayborn, Court Reporter, and extended a welcome to all visitors present at the meeting. Dr. Easterling requested that we all keep the victims of the tornados a couple of weeks ago in our thoughts and prayers and provided an update on how things are progressing in the Louisville, MS area.

Dr. Easterling opened the floor for public comments but there were none.

BOARD MINUTES

May 15, 2014

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Dr. Craig advised that the Board was losing three (3) members that had faithfully served the Board and he wished to recognize them for their service. Dr. Craig presented Resolutions and a plaque to Philip T. Merideth, M.D., J.D., Larry B. Aycock, M.D., and William B. Jones, M.D. A copy of the Resolutions is attached hereto and incorporated by reference.

APPROVAL OF CERTIFICATION OF MISSISSIPPI LICENSES TO OTHER ENTITIES FOR THE PERIOD MARCH 01, 2014, THROUGH APRIL 30, 2014

Two hundred fifty-one (251) licenses were certified to other entities for the period March 01, 2014, through April 30, 2014. Motion was made by Dr. Crawford, seconded by Dr. Mayo, and carried unanimously to approve these certifications.

APPROVAL OF LICENSES ISSUED FOR THE PERIOD MARCH 01, 2014, THROUGH APRIL 30, 2014

Ninety-three (93) licenses were issued for the period March 01, 2014, through April 30, 2014. Motion was made by Dr. Chance, seconded by Dr. Crawford, and carried unanimously to approve these licenses.

REVIEW OF MINUTES OF THE EXECUTIVE COMMITTEE MEETING DATED MARCH 19, 2014, AND MINUTES OF THE BOARD MEETING DATED MARCH 20, 2014

Minutes of the Executive Committee Meeting dated March 19, 2014, and Minutes of the Board Meeting dated March 20, 2014, were reviewed. Dr. Mayo moved for approval of the minutes as submitted. Dr. Chance seconded the motion and it carried unanimously.

REPORT FROM THE NOMINATING COMMITTEE

Dr. Miles, Chair of the Nominating Committee, advised that the committee had met and were proposing the following officers for the next year with an option to serve an additional year: President - Dr. Virginia Crawford, Vice President - Dr. Bill Mayo, and Secretary - Dr. Charles Miles. Motion was made by Dr. Merideth, seconded by Dr. Chance and carried to accept the slate of officers as proposed.

REPORTS FROM COMMITTEES

Scope of Practice - Dr. Brunson (Chair), Dr. Easterling, Dr. Jones, Dr. Chance, Dr. Miles, Mr. Thomas

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Dr. Brunson advised there was no new information to report.

Professionals Health Program - Dr. Chance (Chair), Dr. Crawford, Dr. Aycock

Dr. Chance advised there was no new information to report.

Rules, Regulation & Legislative - Dr. Mayo (Chair), Dr. Easterling, Dr. Jones,
Dr. Miles, Mr. Breland

Dr. Mayo advised there was no new information to report.

Ethics - Dr. Crawford (Chair), Dr. Merideth, Dr. Aycock

Dr. Crawford advised there was no new information to report.

Telemedicine / EHR - Dr. Aycock (Chair), Dr. Merideth, Dr. Brunson

Dr. Aycock advised there was no new information to report but advised the Board that the Federation's recommendations were accepted at the April meeting.

Licensure Process - Dr. Brunson (Chair), Dr. Craig, Ms. Freeman

Dr. Brunson advised there was no new information to report.

PERSONAL APPEARANCE BY GUS A. GIDDENS, M.D., MEMPHIS, TN, APPLICANT

Dr. Craig advised that Dr. Giddens is an applicant that he had invited to appear before the Board to discuss multiple liability cases before being issued a license.

Dr. Giddens joined the meeting and Dr. Easterling introduced him to members of the Board. Dr. Giddens had executed a written agreement for this informal meeting before the Board, a copy of which is attached hereto and incorporated by reference.

Dr. Giddens addressed the Board and advised that he is part of a large OB/Gyn practice in Memphis and wants to be able to see office patients in North Mississippi. Dr. Giddens discussed the malpractice printout and advised that he has only had three (3) cases and no settlements. Dr. Giddens advised that his secretary must have made an error in his application if all were shown to be his responsibility and briefly covered the cases that he was aware of on the report.

There were no additional questions from Board members. Motion was made by Dr. Aycock, seconded by Dr. Mayo, and carried unanimously to grant Dr. Giddens a

BOARD MINUTES

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Mississippi medical license.

PERSONAL APPEARANCE BY PETER B. KROLL, M.D., HENDERSONVILLE, TN, APPLICANT, OWNER OF COMPREHENSIVE PAIN SPECIALISTS IN FLOWOOD

Dr. Craig advised that Dr. Kroll had notified the Board that he would not be appearing today but that their attorney, Julie Mitchell, would be appearing with Dr. Rex Williams to discuss the matter. Dr. Craig advised that Ms. Mitchell had sent an email earlier today providing talking points and two (2) options for the Board's review. Dr. Craig advised that each Board member should have a copy of the email for review.

Ms. Mitchell and Dr. Williams were introduced to the Board members. Ms. Mitchell briefly explained Comprehensive Pain Specialists (CPS), their purpose, and how they will be working with the Flowood office. Ms. Mitchell explained how CPS does not comply with the current Board's rules and regulations in order to be granted a pain management certificate. Dr. Williams advised that he and his father wanted to be able to practice medicine and not have to deal with the administrative, compliance and billings issues and that is why they had sold Trinity Pain Clinic to CPS. Dr. Williams advised that he will work as the medical director, but since he does not own 51% of the clinic that they are still in violation of the Board's rules and regulation.

After a brief discussion, it was determined that the main problem is with the physician owner(s)/operator(s) and what the Board's intent was when writing the regulation. The Board members agreed that their original intent with "owner(s)/operator(s)" meant either or.

Following further discussion, Dr. Easterling made the motion that the Board enter into Executive Session to further discuss their options concerning the regulation and the proposal submitted by Ms. Mitchell. The motion was seconded by Dr. Crawford.

Upon a motion by Dr. Chance, seconded by Dr. Miles, the Board came out of Executive Session. Dr. Easterling advised that he would explain the Board's decision and then have Dr. Aycock read the formal decision. Dr. Easterling advised that the Board will grant CPS a 90 day waiver that will allow them to continue to practice under the current business model. During this time, at least five (5) of the physician owners must apply for a Mississippi medical license. This will provide more than 51% ownership. In the current regulation, section E, the "and" between owned and operated will be changed to "or." After the ownership problem is handled, CPS can make Dr. Williams the medical director as long as he works 20 hours per week. The same will hold true for other clinic locations. Dr. Easterling advised that the Board will post a proposed amendment change to the current regulation and if there are no comments

BOARD MINUTES

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received that would delay the matter, the Board will vote to final adopt the changes in July.

Dr. Easterling asked Dr. Aycock to provide the Board's decision and he advised that the Board voted to change rule 1.15, section E, of Part 2640, Chapter 1 Rules Pertaining to Prescribing, Administering and Dispensing of Medication in the Pain Management Regulation to delete the word "and" and insert the word "or" between owned and operated on the second line. Also, Dr. Aycock advised that the Board unanimously agreed to grant a 90 day waiver to operate the clinic under present circumstances to allow time for the Board's proposed regulatory amendment to take effect and to allow five (5) of the nine (9) physician owners to begin the process of obtaining a Mississippi medical license or in the alternative establish ownership consistent with the rule.

A copy of the proposed amended changes to the regulation pertaining to Prescribing, Administering and Dispensing of Medication is attached hereto and incorporated by reference. The amended regulation will be filed with the Secretary of State under the Administrative Procedures Act.

PERSONAL APPEARANCE BY THOMAS E. PANICO, M.D., FLOWOOD, MISSISSIPPI MEDICAL LICENSE NUMBER 20882, REQUEST LIFTING OF ORDER OF PROHIBITION

Dr. Craig advised that Dr. Panico had requested to appear to request that the Board lift the Order of Prohibition that he has been under since October 4, 2011. Dr. Craig advised that Dr. Panico had agreed to a lifetime contract with the Mississippi Professionals Health Program (MPHP).

Mr. Ingram introduced Dr. Panico as he joined the meeting and advised that he was here today without counsel to request the lifting of the Order of Prohibition that he is currently under with the Board. Mr. Ingram advised Dr. Panico that Ellen O'Neal, Assistant Attorney General, would like to question him regarding legal representation. Following questions from Ms. O'Neal, Dr. Panico stated that he wanted to waive his right to an attorney and proceed without legal counsel.

Mr. Ingram offered assistance to Dr. Panico and advised that he would enter exhibits into the record and then allow him to take the stand and make his request. Dr. Panico agreed and Mr. Ingram entered several exhibits into the record. Dr. Panico advised that he agreed with all the exhibits with the exception of the one stating that he had missed six (6) caduceus meetings. Mr. Ingram advised Dr. Panico that he could address that under oath.

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Dr. Panico was called to the witness stand and was sworn in by the court reporter. Dr. Panico addressed the Board and made his request for the lifting of the Order of Prohibition and advised that he has advocacy with MPHP. Mr. Ingram questioned Dr. Panico and asked if he has practiced in the last three (3) years and he advised that he has not. Dr. Craig advised that he had called the radiology board and got the approval for Dr. Panico to be certified in radiology in lieu of him going through CPEP.

Several of the Board members questioned Dr. Panico before he stepped down from the witness stand.

Dr. Scott Hambleton, Medical Director of MPHP, took the stand and was sworn in by the court reporter. Dr. Hambleton advised that Dr. Panico had done everything he has requested of him and that MPHP was here today advocating for his license to be reinstated. Dr. Hambleton advised there were errors in the caduceus meeting attendance and that he would have it corrected. Dr. Hambleton advised that MPHP will support Dr. Panico to work at the Health Department or a low volume clinic, but nothing pertaining to weight loss.

Motion was made by Dr. Aycock, seconded by Dr. Merideth, and carried that the Board enter into Executive Session to discuss a matter which could possibly result in disciplinary action.

Upon a motion by Dr. Mayo, seconded by Dr. Chance, the Board came out of Executive Session at which time Dr. Easterling asked Dr. Aycock to report on the Board's decision. Dr. Aycock advised that the Board unanimously agreed to lift the Order of Prohibition on Dr. Panico's license. Dr. Aycock advised that the Board strongly suggests that MPHP amend their RCA to limit Dr. Panico's practice sites. A copy of the Board's Order is attached hereto and incorporated by reference.

A verbatim account of this proceeding was recorded by Harvey Rayborn, Court Reporter.

PERSONAL APPEARANCE BY THOMAS W. GRAFTON, D.O., HERNANDO, MISSISSIPPI MEDICAL LICENSE NUMBER 12613, REQUEST LIFTING OF RESTRICTIONS

Dr. Craig advised that Dr. Grafton had requested to appear to request that the Board lift all restrictions on his medical license.

Mr. Ingram introduced Dr. Grafton as he joined the meeting and advised that he was here today without counsel to request that the Board lift restrictions currently on his

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medical license. Mr. Ingram advised Dr. Grafton that Ellen O'Neal, Assistant Attorney General, would like to question him regarding legal representation. Following questions from Ms. O'Neal, Dr. Grafton stated that he wanted to waive his right to an attorney and proceed without legal counsel.

With Dr. Grafton's approval, Mr. Ingram entered exhibits into the record and provided the Board with a brief background concerning Dr. Grafton's history with the Board. Mr. Ingram also summarized a letter the Board received from MPHP dated April 16, 2014.

Dr. Grafton was called to the witness stand and was sworn in by the court reporter. Dr. Grafton addressed the Board and made his request for the lifting of all restrictions currently on his Mississippi medical license. Dr. Grafton advised that he has no plans to collaborate with APRNs or PAs, but wanted the unrestricted license in order to sit for the boards as well as clear his record.

Dr. Hambleton, Medical Director of MPHP, was advised that he was still under oath as he made a statement advocating for Dr. Grafton.

Motion was made by Dr. Crawford, seconded by Dr. Mayo, and carried that the Board enter into Executive Session to discuss a matter which could possibly result in disciplinary action.

Upon a motion by Dr. Crawford, seconded by Dr. Mayo, the Board came out of Executive Session at which time Dr. Easterling asked Dr. Aycock to report on the Board's decision. Dr. Aycock advised that the Board unanimously agreed to remove all restrictions on Dr. Grafton's license. A copy of the Board's Order is attached hereto and incorporated by reference.

A verbatim account of this proceeding was recorded by Harvey Rayborn, Court Reporter.

THE BOARD RECESSED AT 11:35 A.M. FOR LUNCH AND RETURNED AT 12:30 P.M.

PERSONAL APPEARANCE BY MICHAEL S. ZALESKI, DPM, HATTIESBURG, MISSISSIPPI MEDICAL LICENSE NUMBER 80131, REQUEST LIFTING OF RESTRICTIONS

Dr. Craig advised that Dr. Zaleski had requested to appear to request that the Board allow him to reinstate his medical license.

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Mr. Ingram introduced Dr. Zaleski as he joined the meeting and advised that he was here today without counsel to request that the Board allow him to have his license reinstated. Mr. Ingram advised Dr. Zaleski that Ellen O'Neal, Assistant Attorney General, would like to question him regarding legal representation. Following questions from Ms. O'Neal, Dr. Zaleski stated that he wanted to waive his right to an attorney and proceed without legal counsel.

With Dr. Zaleski's approval, Mr. Ingram entered exhibits into the record and provided the Board with a brief background concerning Dr. Zaleski's history with the Board. Mr. Ingram also summarized a letter the Board received from MPHP dated April 16, 2014.

Dr. Zaleski was called to the witness stand and was sworn in by the court reporter. Dr. Zaleski addressed the Board and made his request that he be allowed to reinstate his Mississippi medical license. Dr. Zaleski advised that he had signed a five (5) year contract with MPHP and fully intends to follow the contract.

Dr. Hambleton, Medical Director of MPHP, was advised that he was still under oath as he made a statement advocating for Dr. Zaleski. Dr. Hambleton advised that Dr. Zaleski has been working well with MPHP to date. Dr. Hambleton advised he was here today to advocate for Dr. Zaleski in his request for reinstatement of his license.

Motion was made by Dr. Merideth, seconded by Dr. Miles, and carried that the Board enter into Executive Session to discuss a matter which could possibly result in disciplinary action.

Upon a motion by Dr. Mayo, seconded by Dr. Crawford, the Board came out of Executive Session at which time Dr. Easterling asked Dr. Aycock to report on the Board's decision. Dr. Aycock advised that the Board unanimously agreed to grant Dr. Zaleski's request and reinstate his medical license. A copy of the Board's Order is attached hereto and incorporated by reference.

A verbatim account of this proceeding was recorded by Harvey Rayborn, Court Reporter.

PERSONAL APPEARANCE BY ROBERT S. CORKERN, M.D., GREENVILLE, MISSISSIPPI MEDICAL LICENSE NUMBER 12101, PETITION FOR REINSTATEMENT

Dr. Craig advised that Dr. Corkern had requested to appear to request that the Board allow him to reinstate his medical license.

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Mr. Ingram introduced Dr. Corkern and his attorneys, Bonnie Bridgers-Smith and Dale Danks. Ms. Smith advised that Mr. Danks was representing Dr. Corkern in matters pending in District Court.

Dr. Merideth advised that in previous hearings he had recused himself and was doing so today but requested that he be allowed to sit in as a non-voting member. There were no objections.

Ms. Smith called Dr. Corkern to the witness stand and he was sworn in by the court reporter. Ms. Smith placed several exhibits in the record and called the Board's attention to a letter that was placed in the record that was only received by the Board members today from Amy Lampton Walker, Chief Nursing Officer, at Delta Regional Medical Center, setting out their state of affairs. Dr. Corkern responded to questions from Ms. Smith concerning his current status and the changes to his past plea in federal court.

Mr. Ingram followed with several questions after placing the Board's exhibit into the record.

Mr. Danks addressed the Board and discussed a 2255 motion before the U S District Court and the purpose behind why it had been filed, requesting to vacate the previous guilty plea and remand for a new trial against Dr. Corkern.

Following questions from the Board members, both sides made closing statements.

Motion was made by Dr. Aycock, seconded by Dr. Miles, and carried that the Board enter into Executive Session to discuss a matter which could result in disciplinary action.

Upon a motion by Dr. Mayo, seconded by Dr. Crawford, the Board came out of Executive Session at which time Dr. Easterling asked Dr. Aycock to report on the Board's decision. Dr. Aycock advised that the Board in a 5 votes for, 3 votes against and 1 vote abstaining voted to grant Dr. Corkern's request and allow him to reinstate his medical license. A copy of the Board's Order is attached hereto and incorporated by reference.

A verbatim account of this proceeding was recorded by Harvey Rayborn, Court Reporter.

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HEARING IN THE CASE OF BRUCE DAVID SMITH, M.D., SPRING, TX, MISSISSIPPI MEDICAL LICENSE NUMBER 19596, SUMMONS AND AFFIDAVIT AND REQUEST FOR CONTINUANCE

Dr. Smith was not present or represented by legal counsel. His attorney, Doug Mercier, Esq., had earlier requested a continuance since Dr. Smith lives out of state and they have not been able to meet and prepare his defense.

Motion was made by Dr. Mayo, seconded by Dr. Chance, and carried to grant the continuance until the July meeting. The Order of Continuance is attached hereto and incorporated by reference.

A verbatim account of this proceeding was recorded by Harvey Rayborn, Court Reporter.

GUMERSINDO R. LEAL, M.D., MEMPHIS, TN, MISSISSIPPI MEDICAL LICENSE NUMBER 14849, REQUEST APPROVAL OF CONSENT ORDER

Dr. Leal was not present or represented by legal counsel. Dr. Craig advised that the Board had mirrored the action taken by Tennessee and that Dr. Leal had signed and returned the Board's proposed Consent Order requesting the Board's approval.

Motion was made by Dr. Mayo, seconded by Dr. Crawford, and carried to accept the Consent Order mirroring Tennessee's actions. A copy of the Consent Order is attached hereto and incorporated by reference.

YUSUF ABIOLA MOSURO, M.D., HOUSTON, TX, MISSISSIPPI MEDICAL LICENSE NUMBER 16497, REQUEST APPROVAL OF CONSENT ORDER

Dr. Mosuro was not present or represented by legal counsel. Dr. Craig advised that the Board had mirrored the action taken by Texas and that Dr. Mosuro had signed and returned the Board's proposed Consent Order requesting the Board's approval.

Motion was made by Dr. Mayo, seconded by Dr. Merideth, and carried to accept the Consent Order mirroring Texas' actions. A copy of the Consent Order is attached hereto and incorporated by reference.

DANIEL AGCAOILI MARTELINO, M.D., PORTSMOUTH, OH, MISSISSIPPI MEDICAL LICENSE NUMBER 06327, VOLUNTARY SURRENDER

For informational purposes only, Dr. Craig advised that Dr. Martelino had

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voluntarily surrendered his Mississippi medical license. A copy of the Surrender is attached hereto and incorporated by reference.

REFERRAL TO EXAMINING COMMITTEE OF #0411, FINAL REPORT OF DETERMINATION AND RECOMMENDATION FOR BOARD REVIEW AND APPROVAL

Dr. Craig discussed the anonymous referral to the Examining Committee and their recommendation. Motion was made by Dr. Brunson, seconded by Dr. Chance and carried to accept the Committee's Report of Determination and their recommendation.

PROPOSED CHANGES TO REGULATIONS CONCERNING CHANGE OF ADDRESS FOR PHYSICIANS, PHYSICIAN ASSISTANTS, RADIOLOGIST ASSISTANTS, AND ACUPUNCTURIST

Dr. Craig briefly discussed the proposed changes to regulations concerning change of address for physicians, physician assistants, radiologist assistants, and acupuncturist. Dr. Craig advised that the added language will require licensees to use direct contact information.

Motion was made by Dr. Brunson, seconded by Dr. Mayo, and carried unanimously of the Board's intent to amend the regulation concerning change of address for physicians, physician assistants, radiologist assistants, and acupuncturist. Copies of the amended regulations are attached hereto and incorporated by reference. The amended regulations will be filed with the Secretary of State under the Administrative Procedures Act.

PROPOSED REGULATION CONCERNING MILITARY APPLICANTS EXPEDITED LICENSURE

Dr. Craig briefly discussed the proposed regulation concerning military applicants expedited licensure and advised that it is being proposed due to 2013 legislation passed that directs the Board to issue expedited license to military applicants and their spouses.

Motion was made by Dr. Mayo, seconded by Dr. Chance and carried unanimously of the Board's intent to adopt the regulation concerning military applicants expedited licensure. A copy of the proposed regulation is attached hereto and incorporated by reference. The regulation will be filed with the Secretary of State under the Administrative Procedures Act.

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EMPLOYEE HANDBOOK

For informational purposes, Dr. Craig advised that the Employee's Handbook was available for their review.

LICENSURE SURVEY SENT TO OTHER STATE MEDICAL BOARDS

For informational purposes, Dr. Craig briefly discussed a survey that had been sent to other states concerning their licensing process. Dr. Craig advised that out of the 70 member boards that 27 responses had been received showing essentially the same time frame as we have for processing applications.

OTHER BUSINESS

PATRICK JOSEPH PASCO, D.O., MAGEE, MISSISSIPPI MEDICAL LICENSE NUMBER 07510, VOLUNTARY SURRENDER

For informational purposes, Dr. Craig advised that the Board had received a Voluntary Surrender from Dr. Pasco. A copy of the Surrender is attached hereto and incorporated by reference.

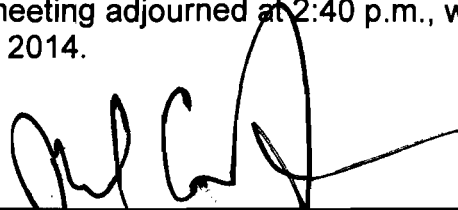
PERSONNEL MATTER

Dr. Easterling made a motion that the Board enter into Executive Session to discuss a personnel matter. Dr. Crawford seconded the motion and it carried.

Following a motion by Dr. Mayo, seconded by Dr. Chance the Board came out of Executive Session at which time Dr. Easterling asked Dr. Aycock to report on the Board's decision. Dr. Aycock advised that the Board unanimously agreed on the personnel matter discussed.

ADJOURNMENT

There being no further business, the meeting adjourned at 2:40 p.m., with the next scheduled meeting for Thursday, July 10, 2014.



S. RANDALL EASTERLING, M.D.
President

Minutes taken and transcribed
by Sherry H. Pilgrim
Staff Officer
May 15, 2014

RESOLUTION

WHEREAS, Philip T. Merideth, M.D., J.D., Jackson, Mississippi, faithfully and conscientiously served the Mississippi State Board of Medical Licensure as a member for ten years and nine months; and

WHEREAS, Dr. Merideth served as Secretary, Vice President, and President of the Mississippi State Board of Medical Licensure; and

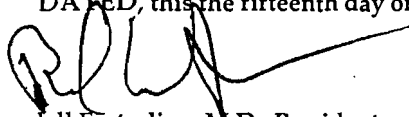
WHEREAS, Dr. Merideth discharged his duties with firmness, dignity and compassion, always in keeping with the intent of the Medical Practice Act and Rules and Regulations of this Board, and thereby working to the great benefit of the Board and citizens of the State of Mississippi; and

WHEREAS, during his years of service Dr. Merideth continually and graciously gave his efforts, time and abilities toward maintaining the highest standard of medical practice for which the State of Mississippi is noted;

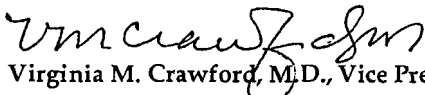
THEREFORE, BE IT RESOLVED, that the Mississippi State Board of Medical Licensure, on behalf of the Board and the people of the State of Mississippi, by means of this resolution, express to Dr. Merideth its gratitude and appreciation for his services during the years he devoted to the Board and the State of Mississippi; and

BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the minutes of the Board and a copy be given to Dr. Merideth expressing to him the highest esteem of the Board.

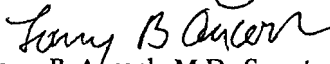
DATED, this the fifteenth day of May, 2014.



S. Randall Easterling, M.D., President



Virginia M. Crawford, M.D., Vice President

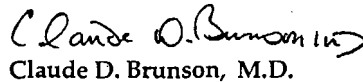


Larry B. Aycock, M.D., Secretary

ATTEST:



H. Vann Craig, M.D.
Executive Director



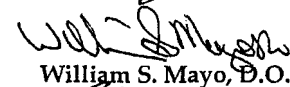
Claude D. Brunson, M.D.



Rickey L. Chance, D.O.



William B. Jones, M.D.



William S. Mayo, D.O.



Charles D. Miles, M.D.

RESOLUTION

WHEREAS, Larry Booth Aycock, M.D., McComb, Mississippi, faithfully and conscientiously served the Mississippi State Board of Medical Licensure as a member for ten years and nine months; and

WHEREAS, Dr. Aycock served as Secretary of the Mississippi State Board of Medical Licensure; and

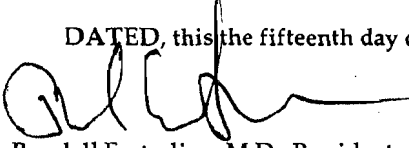
WHEREAS, Dr. Aycock discharged his duties with firmness, dignity and compassion, always in keeping with the intent of the Medical Practice Act and Rules and Regulations of this Board, and thereby working to the great benefit of the Board and citizens of the State of Mississippi; and

WHEREAS, during his years of service Dr. Aycock continually and graciously gave his efforts, time and abilities toward maintaining the highest standard of medical practice for which the State of Mississippi is noted;

THEREFORE, BE IT RESOLVED, that the Mississippi State Board of Medical Licensure, on behalf of the Board and the people of the State of Mississippi, by means of this resolution, express to Dr. Aycock its gratitude and appreciation for his services during the years he devoted to the Board and the State of Mississippi; and

BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the minutes of the Board and a copy be given to Dr. Aycock expressing to him the highest esteem of the Board.

DATED, this the fifteenth day of May, 2014.


S. Randall Easterling, M.D., President

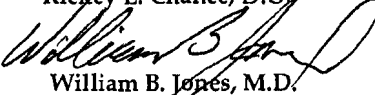

Virginia M. Crawford, M.D., Vice President

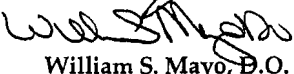
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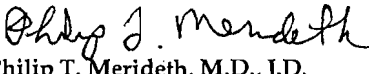

H. Vann Craig, M.D.
Executive Director


Claude D. Brunson, M.D.

Rickey L. Chance, D.O.


William B. Jones, M.D.


William S. Mayo, D.O.


Philip T. Merideth, M.D., J.D.


Charles D. Miles, M.D.

RESOLUTION

WHEREAS, William Bretlee Jones, M.D., Greenwood, Mississippi, faithfully and conscientiously served the Mississippi State Board of Medical Licensure as a member for five years and one month; and

WHEREAS, Dr. Jones discharged his duties with firmness, dignity and compassion, always in keeping with the intent of the Medical Practice Act and Rules and Regulations of this Board, and thereby working to the great benefit of the Board and citizens of the State of Mississippi; and

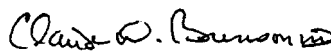
WHEREAS, during his years of service, Dr. Jones continually and graciously gave his efforts, time and abilities toward maintaining the highest standard of medical practice for which the State of Mississippi is noted;


THEREFORE, BE IT RESOLVED, that the Mississippi State Board of Medical Licensure, on behalf of the Board and the people of the State of Mississippi, by means of this resolution, expresses to Dr. Jones its gratitude and appreciation for his services during the years he devoted to the Board and the State of Mississippi; and

BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the minutes of the Board and a copy be given to Dr. Jones expressing to him the highest esteem of the Board.

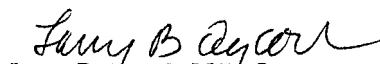
DATED, this the fifteenth day of May, 2014.


S. Randall Easterling, M.D., President


Claude D. Brunson, M.D.


Virginia M. Crawford, M.D., Vice President

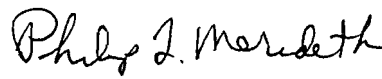

Rickey L. Chance, D.O.

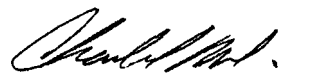

Larry B. Aycock, M.D., Secretary


William S. Mayo, D.O.

ATTEST:


H. Vann Craig, M.D.
Executive Director


Philip T. Merideth, M.D., J.D.


Charles D. Miles, M.D.

**AGREEMENT TO APPEAR INFORMALLY BEFORE BOARD
BY APPLICANT FOR LICENSURE**

I, Gus A. Gidden, MD, have requested an opportunity to appear informally before the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss my pending application for a Mississippi medical license, the current investigation being conducted by the Board, possible grounds for denial, and possible resolution of the matter. 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 Board or its staff, and to give the Board 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 Board 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 Board 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 Board of any facts, matters, and documents pertaining to my case shall not unfairly or illegally prejudice the Board 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 Board, I will not object to any of the 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 Board 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 15 day of May, 2014.

Witness

Sherry Peterson

APPLICANT

NAME PRINTED

Gus A. Gidden

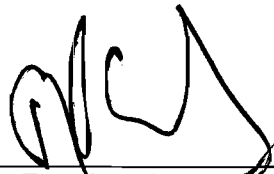
**EXECUTIVE SESSION
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
MAY 15, 2014**

AGENDA ITEM: Personal appearance by Peter Kroll, M.D., Comprehensive Pain Specialists in Flowood, MS

PART 1:

In a motion made by Dr. Mayo, seconded by Dr. Miles, and carried unanimously the Board agreed to a proposed change to Rule 1.15 of the Board's regulation pertaining to Prescribing, Administering and Dispensing to delete the word "and" and insert the word "or" item E.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Larry B. Aycock, M.D.	X			
Claude D. Brunson, M.D.	X			
Rickey L. Chance, D.O.	X			
Virginia M. Crawford, M.D.	X			
S. Randall Easterling, M.D.	X			
William B. Jones, M.D.	X			
William S. Mayo, D.O.	X			
Philip T. Merideth, M.D., J.D.	X			
Charles D. Miles, M.D.	X			



S. Randall Easterling, M.D.
President

**EXECUTIVE SESSION
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
MAY 15, 2014**

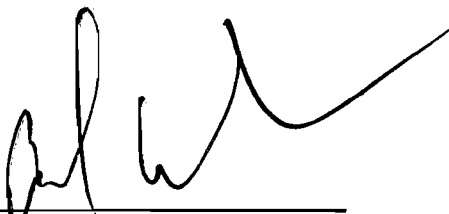
AGENDA ITEM: Personal appearance by Peter Kroll, M.D., Comprehensive Pain Specialists in Flowood, MS

PART 2:

In a motion made by Dr. Miles, seconded by Dr. Merideth, and carried unanimously the Board voted to grant a 90 day waiver to operate the clinic under present circumstances and to allow time for the Board's proposed regulation amendment to become effective. Also, 5 of the 9 physician owners need to begin the process of obtaining a Mississippi medical license to comply with the Board's regulation.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Larry B. Aycock, M.D.	X			
Claude D. Brunson, M.D.	X			
Rickey L. Chance, D.O.	X			
Virginia M. Crawford, M.D.	X			
S. Randall Easterling, M.D.	X			
William B. Jones, M.D.	X			
William S. Mayo, D.O.	X			
Philip T. Merideth, M.D., J.D.	X			
Charles D. Miles, M.D.	X			

With a motion by Dr. Mayo, seconded by Dr. Miles, the Board came out of Executive Session.



S. Randall Easterling, M.D.
President

Mississippi Secretary of State
700 North Street P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Board of Medical Licensure		CONTACT PERSON Rhonda Freeman	TELEPHONE NUMBER (601) 987-0223	
ADDRESS 1867 Crane Ridge Drive, Suite 200-B		CITY Jackson	STATE MS	ZIP 39216
EMAIL rhonda@msbml.ms.gov	SUBMIT DATE 5-16-14	Name or number of rule(s): Part 2640 Chapter 1: Rules Pertaining to Prescribing, Administering and Dispensing of Medication		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: Part 2640 Chapter 1 Rule 1.15.E is being modified to change "and" to "or".

Specific legal authority authorizing the promulgation of rule: 73-43-11

List all rules repealed, amended, or suspended by the proposed rule: N/A

ORAL PROCEEDING:

- An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____
- Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

ECONOMIC IMPACT STATEMENT:

- Economic impact statement not required for this rule. Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
_____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	Action proposed: _____ New rule(s) <input checked="" type="checkbox"/> Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference Proposed final effective date: <input checked="" type="checkbox"/> 30 days after filing _____ Other (specify): _____	Date Proposed Rule Filed: _____ Action taken: _____ Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed Effective date: _____ 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: _____

Signature of person authorized to file rules: _____

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
Accepted for filing by	Accepted for filing by	Accepted for filing by

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.



DELBERT HOSEMANN
Secretary of State

CONCISE SUMMARY OF ECONOMIC IMPACT STATEMENT

An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Act. This is a Concise Summary of the Economic Impact Statement which must be filed with the Secretary of State's Office.

AGENCY NAME Board of Medical Licensure	CONTACT PERSON Rhonda Freeman	TELEPHONE NUMBER (601) 987-0223
ADDRESS 1867 Crane Ridge Drive, Suite 200-B	CITY Jackson	STATE MS
EMAIL rhonda@msbml.ms.gov	ZIP 39216	
DESCRIPTIVE TITLE OF PROPOSED RULE Part 2640 Chapter 1: Rules Pertaining to Prescribing, Administering and Dispensing of Medication Rule 1.15		
Specific Legal Authority Authorizing the promulgation of Rule: 73-43-11	Reference to Rules repealed, amended or suspended by the Proposed Rule: N/A	

A. Estimated Costs and Benefits

1. Briefly summarize the benefits that may result from this regulation and who will benefit:

Physician owners/operators and employees of pain practices.

2. Briefly describe the need for the proposed rule:

This changed and to or which changes the requirement of both to one or the other.

3. Briefly describe the effect the proposed action will have on the public health, safety, and welfare:

None.

4. Estimated Cost of implementing proposed action:

a. To the agency

Nothing Minimal Moderate Substantial Excessive

b. To other state or local government entities

Nothing Minimal Moderate Substantial Excessive

5. Estimated Cost and/or economic benefit to all persons directly affected by the proposed rule:

c. Cost:

Nothing Minimal Moderate Substantial Excessive

d. Economic Benefit:

Nothing Minimal Moderate Substantial Excessive

6. Estimated impact on small businesses:

Nothing Minimal Moderate Substantial Excessive

a. Estimate of the number of small businesses subject to the proposed regulation: unknown

- b. Projected costs for small businesses to comply: Unknown
- c. Statement of probable effect on impacted small businesses:

7. The cost of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):

- substantially less than moderately less than minimally less than
- the same as minimally more than moderately more than
- substantially more than excessively more than

8. The benefit of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):

- substantially less than moderately less than minimally less than
- the same as minimally more than moderately more than
- substantially more than excessively more than

B. Reasonable Alternative Methods

1. Other than adopting this rule, are there less costly or less intrusive methods for achieving the purpose of the proposed rule?

- yes no

2. If yes, please briefly describe available, reasonable alternative(s) and the reasons for rejecting those alternatives in favor of the proposed rule. (Please see §25-43-4.104 for factors you must consider.)

C. Data and Methodology

1. Please briefly describe the data and methodology you used in making the estimates required by this form.

D. Public Notice

1. Where, when, and how may someone present their views on the proposed rule and demand an oral proceeding on the proposed rule if one is not already provided? In writing to the following address:

Mississippi State Board of Medical Licensure
 Attn: Vann Craig, M.D.
 1867 Crane Ridge Drive Suite 200-B
 Jackson MS 39216

SIGNATURE	TITLE Bureau Director
DATE 5/15/2014	PROPOSED EFFECTIVE DATE OF RULE 30 days from final filing

Title 30: Professions and Occupations

Part 2640: Prescribing, Administering and Dispensing

Part 2640 Chapter 1: Rules Pertaining to Prescribing, Administering and Dispensing of Medication

Rule 1.15 Pain Management Medical Practice.

- A. Definitions. For the purpose of Part 2640, Rule 1.15 only, the following terms have the meanings indicated:
1. “Board” means the Mississippi State Board of Medical Licensure.
 2. “Physician” means any person licensed to practice medicine or osteopathic medicine in the state of Mississippi as required by Part 2601, Chapter 02.
 3. “Physician Assistant” means any person meeting the requirements of licensure in the state of Mississippi as required by Part 2617, Chapter 1.
 4. “Prescriptive Authority” means the legal authority of a professional licensed to practice in the state of Mississippi who prescribes controlled substances and is registered with the U. S. Drug Enforcement Administration in compliance with Title 21 CFR, Part 1301 Food and Drugs.
 5. “Pain Management Medical Practice” is defined as a public or privately owned medical practice that provides pain management services to patients, a majority (more than 50%) of which are issued a prescription for, or are dispensed, opioids, barbiturates, benzodiazepines, carisoprodol, butalbital compounds, or tramadol for more than one hundred eighty days (180) days in a twelve month period. Excluded from this definition are all licensed hospitals, state health department facilities, federally qualified community health clinics, volunteer clinics, hospice services, outpatient surgical clinics or physician/clinic practice(s) at which the majority of the patients are treated for pain as a result of a terminal illness.
- B. The physician owner(s)/operator(s) of the pain management medical practice must possess and maintain a majority ownership (more than 50%) of the pain management medical practice and shall register the practice with the Board. No physician may practice in a pain management medical practice unless that practice is majority owned (over 50 %) by a physician or physicians, unless exempted under A.5 above. A hospital or hospital-system owned pain management practice is exempt from the majority ownership requirement. A physician or medical director who owns, operates or is employed in any pain management medical practice must meet the requirements set forth below.
- C. Application for Initial Registration and Renewal. A physician owner(s)/operator(s) of the pain practice must:
1. submit the documents required by the application process for proof of ownership or provide alternative documents with a written request for special consideration;
 2. report ownership or investment interest of any other pain management facility operating within the state of Mississippi and provide the name and address of the other pain management facility(ies) in which there is an ownership or vested interest;

3. identify all individuals with prescriptive authority who are employed or contracted in any capacity and will be prescribing or dispensing controlled substances to patients of the facility; and
 4. report any changes of information provided in the application for registration or renewal within 30 days.
- D. Physician owner(s)/operator(s) may not operate a pain management practice in the state of Mississippi without obtaining a certificate from the Mississippi State Board of Medical Licensure. Certificates, once issued, are not transferable or assignable. Only the primary physician owner is required to register with the Board if there is more than one physician owner of the practice. Each practice requires a separate certificate.
- E. Physician owner(s)/operator(s) or employees may not operate in Mississippi unless the practice is owned ~~and~~ or operated by a hospital or by a medical director who:
1. is a physician who practices full time in Mississippi; (Full time is defined as at least 20 hours per week of direct patient care.)
 2. holds an active unrestricted medical license that is not designated as limited, retired, temporary, or in-training; and
 3. holds a certificate of registration for that pain management practice.
- F. In addition, the physician owner(s)/operator(s) of a pain management practice, a physician or physician assistant employee of the practice or a physician or physician assistant with whom the physician owner(s)/operator(s) of a practice contracts for services may not:
1. have been denied, by any jurisdiction, a certificate issued by the Drug Enforcement Administration (DEA) under which the person may prescribe, dispense, administer, supply or sell a controlled substance or the other listed medications under definitions;
 2. have held a certificate issued by the Drug Enforcement Administration under which the person may prescribe, dispense, administer, or supply, or sell a controlled substance that has been restricted;
 3. have been subject to a disciplinary action by any licensing entity for conduct that was a result of inappropriately prescribing, dispensing, administering, supplying or selling a controlled substance; or
 4. have been terminated from Mississippi's Medicaid Program, the Medicaid program of any other state, or the federal Medicare program, unless eligibility has been restored.
- G. No physician or physician assistant may practice in a pain management medical practice who has been convicted of, pled nolo contendere to or received deferred adjudication for:
1. an offense that constitutes a felony; or
 2. an offense that constitutes a misdemeanor, the facts of which relates to the illegal distribution or sale of drugs or controlled substances.
- H. Training Requirements for All Physicians Practicing in Pain Management Medical Practices. Effective July 1, 2014, physicians who have not met the qualifications set forth in subsections (1) through (5) below, shall have successfully completed a pain residency fellowship or a pain medicine residency that is accredited by the Accreditation Council for Graduate Medical Education (ACGME) or the American Osteopathic Association (AOA). All physicians prescribing or dispensing controlled substance medications in pain management practices registered by the Board must meet one (1) of the following qualifications:

1. board certification by a specialty board recognized by the American Board of Medical Specialties (ABMS) or the American Board of Addiction Medicine (ABAM) and hold a subspecialty certification in pain medicine;
2. board certification by a specialty board recognized by the American Osteopathic Association Bureau of Osteopathic Specialists in pain management;
3. board certification in pain medicine by the American Board of Pain Medicine (ABPM);
4. successful completion of a residency program in physical medicine and rehabilitation, anesthesiology, neurology, or neurosurgery and approved by the ACGME or the AOA; or
5. successful completion of 100 hours of in-person, live participatory AMA or AOA Category 1 CME courses in pain management.

Upon qualifying under any of the 5 subsections above, physicians must also document completion of 15 hours of live lecture format, Category 1 CME in pain management for every year the physician is practicing pain management.

- I. Physicians and physician assistants practicing in a registered pain practice must be registered with the Mississippi Prescription Monitoring Program (MPMP). A report shall be obtained on the initial visit and at intervals deemed appropriate for good patient care from the MPMP for every patient receiving controlled substances in a registered pain management practice.
- J. Requirements for Physician Assistants Practicing in Pain Management Medical Practices. Physician assistants must meet the following qualifications prior to practicing in a registered pain management practice:
 1. A Board approved protocol in the practice of pain management as required by Part 2615, Chapter 1, Rules 5 and 6, that is not designated as limited, restricted, retired, temporary, or in-training;
 2. Physician assistants with approved prescriptive authority must obtain 15 hours of Category 1 CME related to prescribing and pain management for every year the physician assistant is practicing in a Board registered pain practice;
 3. Physician assistants with prescriptive authority must be familiar with and adhere to the Administrative Rule Pertaining to Prescribing, Administering and Dispensing of Medication, Part 2640, Chapter 1; and
 4. Physician assistants with prescriptive authority must be registered with the Mississippi Prescription Monitoring Program (MPMP).
- K. A physician who is a current participant in the Mississippi Professionals Health Program (MPHP) may not be the primary physician owner of a pain practice. Notwithstanding, this does not prohibit a MPHP participant from working in a pain practice.
- L. Certificates are valid for one year and must be renewed annually along with the practitioner's license to practice medicine in the state of Mississippi. There is a thirty-day grace period for renewal after which the owner(s)/operator(s) must reapply for an original certificate. The physician owner(s)/operator(s) of the practice shall post the certificate in a conspicuous location so as to be clearly visible to patients. The practice may not continue to operate while the certificate has expired.
- M. The Board shall have the authority to inspect a pain management practice. During such inspections, authorized representatives of the Board, who may be accompanied by agents

of the Mississippi Bureau of Narcotics, may inspect all necessary documents and medical records to ensure compliance with all applicable laws and rules.

- N. If the Board finds that a registered pain management practice no longer meets any of the requirements to operate as a pain practice, the Board may immediately revoke or suspend the physician's certificate to operate a pain management practice. The physician owner(s)/operator(s) shall have the right to an administrative hearing before the Board at the next available and scheduled meeting of the Board. Further, the Board has the discretion to lift the suspension of a certificate when the practice demonstrates compliance with the Board's rules and regulations.

Source: *Miss. Code Ann. §73-43-11 (1972, as amended)*.


**EXECUTIVE SESSION
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
MAY 15, 2014**

AGENDA ITEM: Personal appearance by Thomas E. Panico, M.D., requesting lifting of Order of Prohibition

In a motion made by Dr. Crawford, seconded by Mayo, and carried unanimously the Board voted to lift the Order of Prohibition on Dr. Panico's medical license.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Larry B. Aycock, M.D.	X			
Claude D. Brunson, M.D.	X			
Rickey L. Chance, D.O.	X			
Virginia M. Crawford, M.D.	X			
S. Randall Easterling, M.D.	X			
William B. Jones, M.D.	X			
William S. Mayo, D.O.	X			
Philip T. Merideth, M.D., J.D.	X			
Charles D. Miles, M.D.	X			

With a motion by Dr. Mayo, seconded by Dr. Chance, the Board came out of Executive Session.



S. Randall Easterling, M.D.
President

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

OF

THOMAS E. PANICO, M.D.

ORDER

THIS MATTER came on regularly for hearing on May 15, 2014, before the Mississippi State Board of Medical Licensure (hereinafter referred to as "Board") in response to the petition of Thomas E. Panico, M.D. (hereinafter referred to as "Licensee"), for authorization to return to the practice of medicine.

Based on a long history of chemical dependency with repeated relapses, on October 5, 2011, the Board issued an Order, whereby Licensee was prohibited from practicing medicine until such time as he completed certain requirements, including, but not limited to completion of a comprehensive evaluation for chemical dependency, followed by adherence to all treatment recommendations as a result thereof. In addition, as a condition for the return to practice, Licensee was required to secure and maintain affiliation with the Mississippi Professionals Health Program (MPHP). Licensee now appears before the Board presenting documentation and testimony that he has completed all required treatment for chemical dependency and is now in recovery. Significantly, Licensee has not suffered a relapse since September 15, 2011. Furthermore, testimony was received from Scott Hambleton, M.D., Medical Director of the MPHP, indicating that Licensee has taken all steps necessary to complete treatment and obtain affiliation. Because of Licensee's extensive history of relapse, his practice will be closely monitored through a Recovery

Contract Agreement with the MPHP. After consideration of the request, the Board finds Licensee's request to be well-taken.

IT IS, THEREFORE, ORDERED that all restrictions previously imposed by Order of the Board are hereby removed and Licensee is authorized to return to the practice of medicine.

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 Thomas E. Panico, M.D.

ORDERED, this the 15th day of May, 2014.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

By: _____


S. Randall Easterling, M.D.
President

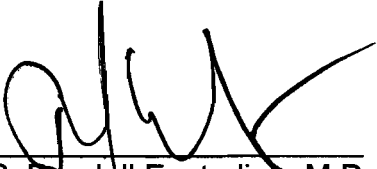
**EXECUTIVE SESSION
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
MAY 15, 2014**

AGENDA ITEM: Personal appearance by Thomas W. Grafton, D.O., requesting lifting of restrictions

In a motion made by Dr. Crawford, seconded by Mayo, and carried unanimously the Board voted to lift the restrictions on Dr. Grafton's medical license.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Larry B. Aycock, M.D.	X			
Claude D. Brunson, M.D.	X			
Rickey L. Chance, D.O.	X			
Virginia M. Crawford, M.D.	X			
S. Randall Easterling, M.D.	X			
William B. Jones, M.D.	X			
William S. Mayo, D.O.	X			
Philip T. Merideth, M.D., J.D.	X			
Charles D. Miles, M.D.	X			

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



S. Randall Easterling, M.D.
President

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE

OF

THOMAS E. GRAFTON, D.O.

ORDER

THIS MATTER came on regularly for hearing on May 15, 2014, before the Mississippi State Board of Medical Licensure (hereinafter referred to as "Board") in response to the petition of Thomas W. Grafton, D.O. (hereinafter referred to as "Licensee"), seeking removal of all restrictions imposed on his Mississippi medical license by virtue of that certain Board Order dated March 12, 2009. The Board, after hearing said request, finds the same to be well-taken.

On September 23, 2008, the Board issued an Order of Prohibition immediately prohibiting Licensee from practicing medicine until such time as Licensee underwent a complete evaluation for impairment by a treatment facility approved by the Board and, thereafter, found capable of returning to the practice of medicine by the Board. Following an evidentiary hearing on March 12, 2009, the Board authorized Licensee to return to the practice of medicine, subject to certain conditions, one of which was affiliation with the Mississippi Professionals Health Program ("MPHP"). Since 2009, Licensee has practiced without incident and has remained in sound recovery. Therefore, after consideration of the request, the Board finds Licensee's request to be well-taken.

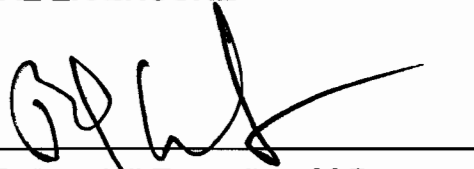
IT IS, THEREFORE, ORDERED that all restrictions previously imposed by Order of the Board are hereby removed. Licensee now has an unrestricted license.

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 Thomas W. Grafton, D.O.

ORDERED, this the 15th day of May, 2014.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

By: _____


S. Randall Easterling, M.D.

President

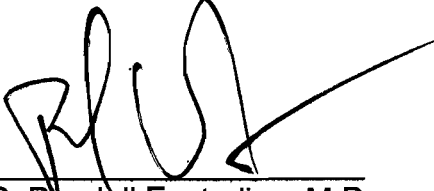
**EXECUTIVE SESSION
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
MAY 15, 2014**

AGENDA ITEM: Personal appearance by Michael S. Zaleski, DPM., requesting lifting of restrictions and to allow for reinstatement of his license.

In a motion made by Dr. Mayo, seconded by Crawford, and carried unanimously the Board voted to allow Dr. Zaleski to reinstate his medical license.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Larry B. Aycock, M.D.	X			
Claude D. Brunson, M.D.	X			
Rickey L. Chance, D.O.	X			
Virginia M. Crawford, M.D.	X			
S. Randall Easterling, M.D.	X			
William B. Jones, M.D.	X			
William S. Mayo, D.O.	X			
Philip T. Merideth, M.D., J.D.	X			
Charles D. Miles, M.D.	X			

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



S. Randall Easterling, M.D.
President

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

OF

MICHAEL SEAN ZALESKI, D.P.M.

ORDER

THIS MATTER came on regularly for hearing on May 15, 2014, before the Mississippi State Board of Medical Licensure (hereinafter referred to as "Board") in response to the petition of Michael Sean Zaleski, D.P.M. (hereinafter referred to as "Licensee"), for authorization to return to the practice of podiatric medicine.

On March 21, 2013, Licensee entered into an Agreed Order with the Board, whereby he was prohibited from practicing podiatric medicine until such time as he completed certain requirements, including, but not limited to completion of a comprehensive multi-disciplinary evaluation for chemical dependency, followed by adherence to all treatment recommendations as a result thereof. In addition, as a condition for the return to practice, Licensee was required to secure and maintain affiliation with the Mississippi Professionals Health Program (MPHP). Licensee now appears before the Board presenting documentation and testimony that he has completed all required treatment for chemical dependency and is now in recovery. Furthermore, testimony was received from Scott Hambleton, M.D., Medical Director of the MPHP, indicating that Licensee has taken all steps necessary to complete treatment and obtain affiliation with the Program and is now able to return to practice with reasonable skill and safety to patients.

IT IS, THEREFORE, ORDERED, that all restrictions previously imposed by Order of the Board are hereby removed and Licensee is authorized to return to the practice of podiatric medicine.

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 Sean Zaleski, D.P.M.

ORDERED, this the 15th day of May, 2014.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

By: _____


S. Randall Easterling, M.D.
President

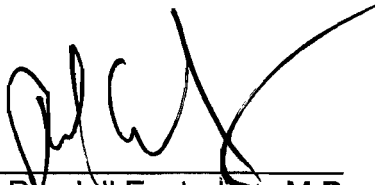
**EXECUTIVE SESSION
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
MAY 15, 2014**

AGENDA ITEM: Personal appearance by Robert S. Corkern, M.D., to petition for reinstatement.

In a motion made by Dr. Brunson, seconded by Dr. Crawford, and carried in a vote of five (5) for, three (3) against, and one (1) abstaining, the Board voted to reinstate Dr. Corkern's medical license.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Larry B. Aycock, M.D.	X			
Claude D. Brunson, M.D.	X			
Rickey L. Chance, D.O.		X		
Virginia M. Crawford, M.D.	X			
S. Randall Easterling, M.D.	X			
William B. Jones, M.D.	X			
William S. Mayo, D.O.		X		
Philip T. Merideth, M.D., J.D.				X
Charles D. Miles, M.D.		X		

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



S. Randall Easterling, M.D.
President

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

OF

ROBERT STEPHEN CORKERN, M.D.

ORDER

THIS MATTER came on regularly for hearing on May 15, 2014, before the Mississippi State Board of Medical Licensure (hereinafter referred to as "Board") in response to the petition of Robert Stephen Corkern, M.D. (hereinafter referred to as "Licensee"), for authorization to return to the practice of medicine.

Following an evidentiary hearing on January 24, 2013, the Board revoked the medical license of Licensee based on his conviction of a felony involving moral turpitude (federal bribery), all in violation of Miss. Code Ann. Section 73-25-29(6).

Pursuant to Section 73-25-32, more than one (1) year has elapsed since the disciplinary action. In further compliance with this section, testimony and documentation has been presented to the Board indicating that Licensee is no longer under probation and/or parole. According to Licensee's testimony as well as supporting affidavits, there is a valid need for his services in the emergency room at Delta Regional Medical Center, Greenville, Mississippi, which is where Licensee intends to return.

After consideration of the request, the Board finds Licensee's request to be well-taken.

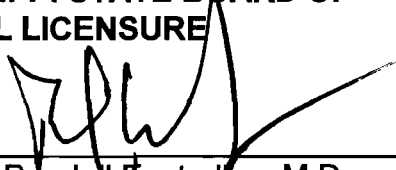
IT IS, THEREFORE, ORDERED, that all restrictions previously imposed by Order of the Board are hereby removed and Licensee is authorized to return to the practice of medicine.

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 Stephen Corkern, M.D.

ORDERED, this the 15th day of May, 2014.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

By: _____


S. Randal Easterling, M.D.
President

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE OF

BRUCE DAVID SMITH, M.D.

ORDER OF CONTINUANCE

THIS MATTER came on regularly for hearing on May 15, 2014, before the Mississippi State Board of Medical Licensure, in response to a request for continuance of the hearing set for this date, made by Bruce David Smith, M.D. (hereinafter "Licensee") through his attorney, Douglas G. Mercier, Esq. After consideration of the matter, the Board finds Licensee's motion to be well taken.

IT IS, THEREFORE, ORDERED, that this matter is continued until July 10, 2014 at 10:00 a.m.

SO ORDERED, this the 15th day of May, 2014.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY:



S. RANDALL EASTERLING, PRESIDENT

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

OF

GUMERSINDO ROLANDO LEAL, M.D.

CONSENT ORDER

WHEREAS, Gumersindo Rolando Leal, M.D., hereinafter referred to as "Licensee," is the current holder of License No. 14849, issued June 17, 1996, for the practice of medicine in the State of Mississippi;

WHEREAS, at least in or about 2012, Licensee left blank, pre-signed prescriptions for nurses at Signature HealthCare to use for patients admitted after Licensee had left the facility for the day, in violation of statutes or rules which are part of the Tennessee Medical Practice Act (TENN. CODE ANN. § 63-6-101, et seq.);

WHEREAS on July 24, 2013, in Case Number 2012015141, Licensee entered into a Consent Order with the Tennessee Board of Medical Examiner Reprimanding Licensee's Tennessee medical license (MD26031). This Reprimand was based on evidence that Licensee had violated provisions of the Tennessee Medical Practice Act, Tenn. Code Ann. § 63-6-214(b)(1), which provides that "unprofessional, dishonorable or unethical conduct" is a ground for licensure discipline; 63-6-214(b)(12),

Gross health care liability, ignorance, negligence or incompetence in the course of medical practice; 63-6-214(b)(12): Dispensing, prescribing, or otherwise distributing to any controlled substance or any other drug not in the course of professional practice, or not in good faith to relieve pain and suffering, or not to cure an ailment, physical infirmity or disease, or in amounts and/or for durations not medically necessary, advisable or justified for a diagnosed condition: and Tenn. Comp. R. & Regs Rule 0880-02-.14(6)(e)(3), which authorizes disciplinary action against a Respondent who prescribes, orders, administers or dispenses dangerous drugs or controlled substances;

WHEREAS, Licensee, for the purpose of avoiding further administrative actions with respect to this cause, agreed to the following Terms and Conditions:

1. Respondent's Tennessee medical license number 26031 is hereby reprimanded effective the entry of this Consent Order.

2. Respondent must pay, pursuant to TENN. CODE ANN. § 63-6-214(k) and Rule 0880-02-.12(1)(j) of the Official Compilation Rules and Regulations of the State of Tennessee, the actual and reasonable cost of prosecuting this case to the extent allowed by law, including all costs assessed against the Board by the Division's

Bureau of Investigations in connection with the prosecution of this matter. These costs will be established by an Assessment of Costs prepared and filed by counsel for the Department. The maximum amount for the assessment of costs shall be One Thousand Five Hundred Dollars (\$1,500.00).

3. Respondent understands that this is a formal disciplinary action and will be reported to the Health Integrity and Protection Data Bank (H.I.P.D.B.) and/or similar agency. The Tennessee Board of Medical Examiners Consent Order is attached hereto as composite "Exhibit A", and incorporated herein by reference.

WHEREAS, pursuant to Subsections (8)(d) and (9) of Section 73-25-29, Mississippi Code (1972), Annotated, the aforementioned actions by the Tennessee Board of Medical Examiners constitute restrictions placed on his license in another jurisdiction, grounds 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 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 her joinder herein, does hereby order that this Consent Order shall constitute a **Reprimand** of Licensee, and that Licensee is hereby reprimanded subject to the following terms and conditions:

1. Licensee shall comply with all terms and conditions of his Tennessee Board of Medical Examiners Order.
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, Administering and Dispensing of Medication".

Licensee shall reimburse the Board of all costs incurred in relation to the pending matter pursuant to Miss Code Ann., §73-25-30. 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 date Licensee receives the aforementioned notification.

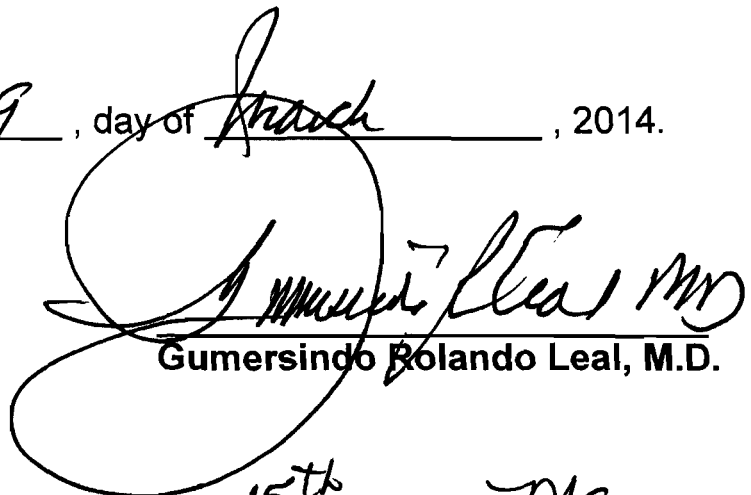
This Consent Order shall be subject to approval by the Board. If the Board fails to approve this Consent Order, in whole or in part, it shall have no force or effect on the parties. It is further understood and agreed that the purpose of this Consent Order is to avoid a hearing before the Board. In this 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, Gumersindo Rolando Leal, 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.

Executed, this the 19, day of March, 2014.



Gumersindo Rolando Leal, M.D.

ACCEPTED AND APPROVED this the 15th, day of May, 2014, by the Mississippi State Board of Medical Licensure.



S. Randall Easterling, M.D.
President



STATE OF TENNESSEE
DEPARTMENT OF HEALTH
DIVISION OF HEALTH LICENSURE AND REGULATION
OFFICE OF HEALTH RELATED BOARDS
227 French Landing, Suite 300
Heritage Place Metro Center
Nashville, TN 37243
tennessee.gov/health
TENNESSEE BOARD OF MEDICAL EXAMINERS
1-800-778-4123

October 18, 2013

GUMERSINDO R LEAL, MD
P.O. BOX 171183
MEMPHIS TN 38187

TO WHOM IT MAY CONCERN:

The Tennessee Board of Medical Examiners is pleased to furnish the following information from our files:

PROFESSION: Medical Doctor
NAME: GUMERSINDO R LEAL
RANK: Medical Doctor
LICENSE NUMBER: MD26031
ISSUE DATE: 10/20/1994
EXPIRATION DATE: 01/31/2014
CURRENT STATUS: Licensed
STATUS DATE: 10/20/1994



COMMENTS: There is derogatory information in our files concerning this individual. The State of Tennessee only provides the above information. Any other information needed must be obtained from the licensee. The individual has been provided with copies of the materials and should make them available for your official review. If the materials have either been lost or destroyed, the licensee may contact our office regarding obtaining replacement copies.

Sincerely,


Board Administrator
Tennessee Board of Medical Examiners

MD/LV1

To expedite the verification process, the above is the standard format used by the Medical Board of Tennessee.

**STATE OF TENNESSEE
DEPARTMENT OF HEALTH**

IN THE MATTER OF:)	BEFORE THE TENNESSEE BOARD OF MEDICAL EXAMINERS
)	
GUMERSINDO R. LEAL, M.D.)	
RESPONDENT)	CASE NO: 2012015141
)	
MEMPHIS, TENNESSEE)	
TENNESSEE LICENSE NO. 26031)	

CONSENT ORDER

Come now the Division of Health Related Boards of the Tennessee Department of Health (hereinafter the "Division"), by and through the Office of General Counsel, and Respondent Gumersindo R. Leal, M.D. (hereinafter "Respondent"), who would respectfully move the Tennessee Board of Medical Examiners (hereinafter the "Board") for approval of this Consent Order affecting Respondent's medical license in the State of Tennessee.

I. AUTHORITY AND JURISDICTION

The Board is responsible for the regulation and supervision of medical doctors licensed to practice in the State of Tennessee. See Tennessee Medical Practice Act, Tennessee Code Annotated Section (hereinafter "TENN. CODE ANN. §") 63-6-101, *et seq.* It is the policy of the Board to require strict compliance with the laws of this State, and to apply the laws so as to preserve the quality of medical care provided in Tennessee. It is the duty and responsibility of the Board to enforce the Tennessee Medical Practice Act in such a manner as to promote and protect the public health, safety and welfare in every practicable way, including disciplining medical doctors who violate the provisions of TENN. CODE ANN. § 63-6-101, *et seq.* or the Rules

and Regulations promulgated by the Board and recorded in the Official Compilation Rules and Regulations of the State of Tennessee (hereinafter "TENN. COMP. R. & REGS.").

Respondent Gumersindo R. Leal, M.D., by his signature to this Consent Order, waives the right to a contested case hearing and any and all rights to judicial review in this matter. Respondent agrees that presentation to and consideration of this Consent Order by the Board for ratification and all matters divulged during that process shall not constitute unfair disclosure such that the Board or any of its members shall be prejudiced to the extent that requires their disqualification from hearing this matter should this Order not be ratified. Likewise, all matters, admissions and statements disclosed or exchanged during the attempted ratification process shall not be used against Respondent in any subsequent proceeding unless independently entered into evidence or introduced as admissions.

Respondent expressly waives all further procedural steps and expressly waives all rights to seek judicial review of or to challenge or contest the validity of this Consent Order. Respondent understands that by signing this Consent Order, Respondent is allowing the Board to issue its order without further process. Respondent acknowledges that this is a formal disciplinary action and will be reported to the Health Integrity and Protection Data Bank and/ or similar agency. In the event that the Board rejects this Consent Order for any reason, it will be of no force or effect for either party.

II. STIPULATIONS OF FACT

1. Respondent has been at all times pertinent hereto licensed by the Board as a medical doctor in the State of Tennessee, having been granted Tennessee medical license number

26031 by the Board on October 20, 1994. Respondent's license will expire on January 31, 2014.

2. At least in or about 2012 Respondent left blank, pre-signed prescriptions for nurses at Signature HealthCare to use for patients admitted after the Respondent had left the facility for the day.

III. GROUNDS FOR DISCIPLINE

The facts stipulated to in the Stipulations of Fact are sufficient to establish that grounds for discipline of Respondent's medical license exist. Specifically, Respondent has violated the following statutes or rules which are part of the Tennessee Medical Practice Act, (TENN. CODE ANN. § 63-6-101, *et seq.*) for which disciplinary action before and by the Board is authorized:

3. The facts stipulated in paragraph 2, *supra*, constitute a violation of TENN. CODE ANN. § 63-6-214(b)(1):

Unprofessional, dishonorable or unethical conduct;

4. The facts stipulated in paragraph 2, *supra*, constitute a violation of TENN. CODE ANN. § 63-6-214(b)(12):

Gross health care liability or a pattern of continued or repeated health care liability, ignorance, negligence or incompetence in the course of medical practice;

5. The facts stipulated in paragraph 2, *supra*, constitute a violation of TENN. CODE ANN. § 63-6-214(b)(12):

Dispensing, prescribing or otherwise distributing to any controlled substance or any other drug not in the course of professional practice, or not in good faith to relieve pain and suffering, or not to cure an ailment, physical infirmity or disease, or in amounts and/or for durations not medically necessary, advisable or justified for a diagnosed condition;

6. The facts stipulated in paragraph 2 constitute a violation of TENN. COMP. R & REGS. 0880-2-.14(6)(e)(3), which authorizes disciplinary action against a Respondent who prescribes, orders, administers or dispenses dangerous drugs or controlled substances without observing the following guidelines:

- (i) After a documented medical history, which may be provided orally or in writing by the patient, and physical examination by the physician providing the medication including an assessment and consideration of the pain, physical and psychological function, any history and potential for substance abuse, coexisting diseases and conditions, and the presence of a recognized medical indication for the use of a dangerous drug or controlled substance;
- (ii) Pursuant to a written treatment plan tailored for the individual needs of the patient by which treatment progress and success can be evaluated with stated objectives such as pain relief and/or improved physical and psychosocial function. Such a written treatment plan shall consider pertinent medical history and physical examination as well as the need for further testing, consultations, referrals, or use of other treatment modalities;
- (iii) The physician should discuss the risks and benefits of the use of controlled substances with the patient or guardian;
- (iv) Subject to documented periodic review of the care by the physician at reasonable intervals in view of the individual circumstances of the patient in regard to progress toward reaching treatment objectives which takes into consideration the course of medications prescribed, ordered, administered, or dispensed as well as any new information about the etiology of the pain;
- (v) Complete and accurate records of the care provided as set forth in parts (i)-(iv) of this paragraph should be kept. When controlled substances are prescribed, names, quantities prescribed, dosages, and number of authorized refills of the drugs should be recorded, keeping in mind that pain patients with a history of substance abuse or who live in an environment posing a risk for medication misuse or diversion require special consideration. Management of these patients may require closer monitoring by the physician managing the pain and consultation with appropriate health care professionals.

7. The facts stipulated in paragraph 2, *supra*, constitute grounds for disciplinary action against Respondent's license to practice as a medical doctor in the State of Tennessee pursuant to TENN. COMP. R. & REGS., Rule 0880-02-.14(7)(a):

Except as provided in subparagraph (b), it shall be a prima facie violation of T.C.A. § 63-6-214 (b) (1), (4), and (12) for a physician to prescribe or dispense any drug to any individual, whether in person or by electronic means or over the Internet or over telephone lines, unless the physician, or his/her licensed supervisee pursuant to appropriate protocols or medical orders, has first done and appropriately documented, for the person to whom a prescription is to be issued or drugs dispensed, all of the following:

1. Performed an appropriate history and physical examination; and
2. Made a diagnosis based upon the examinations and all diagnostic and laboratory tests consistent with good medical care; and
3. Formulated a therapeutic plan, and discussed it, along with the basis for it and the risks and benefits of various treatments options, a part of which might be the prescription or dispensed drug, with the patient; and
4. Insured availability of the physician or coverage for the patient for appropriate follow-up care.

IV. POLICY STATEMENT

The Tennessee Board of Medical Examiners takes this action in order to protect the health, safety and welfare of the citizens of the State of Tennessee.

V. ORDER

NOW THEREFORE, Respondent, for the purpose of avoiding further administrative action with respect to this cause, agrees to the following:

8. The Tennessee medical license of Gumersindo R. Leal, M.D., license number 26031, is hereby **REPRIMANDED**, effective the date of entry of this Consent Order.
9. Respondent must pay, pursuant to TENN. CODE ANN. § 63-6-214(k) and Rule 0880-02-.12(1)(j) of the Official Compilation Rules and Regulations of the State of Tennessee, the actual and reasonable costs of prosecuting this case to the extent allowed by law, including all costs assessed against the Board by the Division's Bureau of Investigations in connection with the prosecution of this matter. These costs will be established by an Assessment of Costs prepared and filed by counsel for the Department. The maximum amount for the assessment of costs shall be One Thousand Five Hundred Dollars (\$1,500.00).
10. Respondent understands that this is a formal disciplinary action and will be reported to the Health Integrity and Protection Data Bank (H.I.P.D.B.) and/or similar agency.

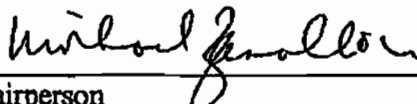
VI. NOTICE

11. Any and all civil penalties and/or costs shall be paid in full within sixty (60) days from the issuance of the Assessment of Costs by submitting a certified check, cashier's check, or money order payable to the State of Tennessee, which shall be mailed or delivered to: **Disciplinary Coordinator, The Division of Health Related Boards, Tennessee Department of Health, 227 French Landing, Suite 201, Heritage Place Metro Center, Nashville, Tennessee 37243.** A notation shall be placed on said check that it is payable for the civil penalties and/or costs of Gumersindo R. Leal, M.D., Case No. 201201514.

This **CONSENT ORDER** was approved by a majority of a quorum of the Tennessee Board of Medical Examiners at a public meeting of the Board and signed this 19 day of March, 2013.

APPROVED FOR ENTRY:



Gumersindo R. Leal, M.D.
Respondent
P.O. Box 171183
Memphis, Tennessee 38187



Chairperson
Tennessee Board of Medical Examiners

3/1/13

DATE



Alex Munderloh (B.P.R. #030274)
Assistant General Counsel
Office of General Counsel
Tennessee Department of Health
220 Athens Way, Suite 210
Nashville, Tennessee 37243
(615) 741-1611

3/19/13

DATE

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of this document has been served upon Respondent, Gumersindo R. Leal, M.D., P.O. Box 171183, Memphis, Tennessee 38187, by delivering same in the United States Mail, Certified Numbers 7012 1640 0002 3921 7395 _____, return receipt requested, and United States First Class Postage Pre-Paid Mail, with sufficient postage thereon to reach its destination.

This 22nd day of March, 2013.



Alex Munderloh
Assistant General Counsel

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF PHYSICIAN'S LICENSE

OF

YUSUF ABIOLA MOSURO, M.D.

CONSENT ORDER

WHEREAS, Yusuf Abiola Mosuro, M.D., hereinafter referred to as "Licensee," is the current holder of License No. 16497, issued August 23, 1999, for the practice of medicine in the State of Mississippi;

WHEREAS, on August 7, 2013, Licensee entered into an Agreed Order with the Texas Medical Board constituting a Public Reprimand of Licensee. The Texas Medical Board found that Licensee failed to meet the standard of care by allowing his APN to prescribe medications in a Non-Therapeutic manner, failed to adequately supervise the APN acting under his prescriptive delegation and failed to maintain adequate medical records.

WHEREAS, based on the above Finding of Fact and Conclusions of Law, the Texas Board of Medicine Orders that Licensee shall be subjected to the following terms and conditions:

1. The Agreed Order shall constitute a Public Reprimand of Licensee and Licensee is hereby reprimanded.
2. Licensee is prohibited from supervising physician assistants, advanced practice nurses, or other midlevel providers except for certified registered

nurse anesthetist (CRNA) in an Interventional or surgical procedure conducted in an institutional setting.

3. Licensee is prohibited from ordering, prescribing, or dispensing scheduled drugs except while providing anesthesia services in an institutional setting.

4. Within one year following the entry of this Order, Licensee shall take and pass with a score of 75 or above the Medical Jurisprudence Examination ("JP Exam") given by the Texas Medical Board. Licensee is allowed three attempts to successfully pass this examination. Licensee's failure to take and pass the JP Exam within three attempts within one year following the entry of this Order shall constitute a violation of this Agreed order. After a committee of the Board or a panel of Board representatives (Board Representatives), has considered the information related to Licensees' violation of this provision, Licensee's medical license shall be immediately suspended pursuant to correspondence to Licensee from the Executive Director or Secretary-Treasurer of the Board indicating that Board Representatives have considered the information related to Licensee's violation of this provision, Although Licensee shall be invited to provide information and testimony to the Board Representatives, Licensee specifically waives any administrative due process under the Medical Practice Act, or the Administrative Procedure Act, for the Board Representatives to consider this information. THIS SUSPENSION SHALL BE EFFECTIVE WITHOUT THE NEED FOR A HEARING AT THE STATE OFFICE OF

ADMINISTRATIVE HEARINGS OR OTHER ADMINISTRATIVE DUE PROCESS UNDER THE MEDICAL PRACTICE ACT OR THE ADMINISTRATIVE PROCEDURE ACT, AND Licensee SPECIFICALLY WAIVES ANY SUCH HEARING OR DUE PROCESS AND ALL RIGHTS OF APPEAL. Licensee shall be notified of any suspension by certified mail, return receipt requested to Licensee's last know address on file with the board. If Licensee's license is suspended on such basis, the suspension shall remain in effect until such time as Licensee takes and passes the JP Exam and subsequently appears before the Board in person and provides sufficient evident which, in the discretion of the Board, is adequate to show that Licensee possesses the skills and knowledge to safely practice in Texas and is otherwise physically and mentally competent to resume the practice in this state.

5. Within one (1) year from the date of the entry of this Order, Licensee shall enroll in and successfully complete at least 16 hours of continuing medical education ("CME") approved for Category I credits by the American Medical Association in the following breakdown: at least eight hours in medical record keeping and at least eight hours in risk management, approved in writing in advance by the Executive Director or their designee. To obtain approval for the course, Licensee shall submit in writing to the Compliance Department information on the course, to include at least a reasonably detailed description of the course content, as well as the course location and dates of instruction.

Licensee shall submit documentation of attendance and successful completion of this requirement to the Compliance Department on or before the expiration of the time limit set forth for completion of the course. The CME requirement set forth in this paragraph shall be in addition to all other CME required for licensure maintenance.

6. Licensee shall pay an administrative penalty in the amount of \$10,000 within 90 days of the date of the entry of this Order. The administrative penalty shall be paid in a single payment by cashier's check or money order payable to the Texas Medical Board and shall be submitted to the Board for routing so as to be remitted to the Comptroller of Texas for deposit in the general revenue fund. Licensee's failure to pay the administrative penalty as ordered shall constitute grounds for further disciplinary action by the Board, and may result in a referral by the Executive Director of the Board for collection by the Office of the Attorney General.

7. Licensee shall give a copy of this Order to all hospital, nursing homes, treatment facilities, and other health care entities where Licensee has privileges, has applied for privileges, applies for privileges, or otherwise practices.

8. The time period of this Order shall be extended for any period of time that:

- (a) Licensee subsequently practices exclusively outside the State of Texas;
- (b) Licensee's license is subsequently cancelled for nonpayment of licensure

fees; (c) this Order is stayed or enjoined by Court Order; or (d) for any period of time longer than 60 consecutive days that Licensee does not actively practice medicine. If Licensee leaves Texas to practice elsewhere or ceases active practice for more than 60 consecutive days, Licensee shall immediately notify the Board in writing. Upon Licensee's return to active practice or return to practice in Texas, Licensee shall notify the Board in writing. When the period of extension ends, Licensee shall be required to comply with the terms of this Order for the period of time remaining on the Order. Licensee shall pay all fees for reinstatement or renewal of a license covering the period of extension or tolling.

WHEREAS, pursuant to Subsections (8)(d) and (9) of Section 73-25-29, Mississippi Code (1972), Annotated, the aforementioned actions by the Texas Board of Medicine constitute restrictions placed on his license in another jurisdiction, grounds 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 her license 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 consented to the issuance of a Public Reprimand by the Mississippi State Board of Medical Licensure;

NOW, THEREFORE, the Mississippi State Board of Medical Licensure with the consent of Licensee as signified by her joinder herein, does hereby order that this Consent Order shall constitute a Public Reprimand of Licensee, and that Licensee is hereby reprimanded subject to the following terms and conditions:

1. Licensee shall comply with all terms and conditions of his Texas Medical Board Order.
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, Administering and Dispensing of Medication."
3. Licensee shall thoroughly familiarize himself with said rules and regulations and shall so indicate to the Board in writing within one (1) year of approval of this Consent Order.
4. In the event Licensee should leave Texas to reside or practice outside the State, Licensee shall, within ten (10) days prior to departing, notify the Board in writing of the dates of departure and return. Licensee shall have the right, but not the obligation, to petition the Board for removal of any or all of the restrictions imposed herein after completing all terms and conditions of this Order. At such time as Licensee petitions this Board for removal of any or all of the restrictions imposed herein, the Board reserves the right, in its sole and absolute discretion, to utilize any information or reports from either the Texas Medical Board or any other source, to impose any other restrictions it deems

necessary to protect the public. Licensee shall reimburse the Board of all costs incurred in relation to the pending matter pursuant to Miss Code Ann., §73-25-30. 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 date Licensee receives the aforementioned notification. 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, Yusuf Abiola Mosuro, 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.

Executed, this the 16TH, day of APRIL, 2014.



Yusuf Abiola Mosuro, M.D.

ACCEPTED AND APPROVED, this the 15th, day of May,
2014, by the Mississippi State Board of Medical Licensure.



S. Randall Easterling, M.D.
President

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE

OF

DANIEL AGCAOILI MARTELINO, M.D.

SURRENDER OF MEDICAL LICENSE

WHEREAS, DANIEL AGCAOILI MARTELINO, M.D., hereinafter referred to as "Licensee," is the current holder of License Number 06327, which was originally issued on July 19, 1971, to practice medicine in the State of Mississippi;

WHEREAS, Licensee submitted a 2013 Commonwealth of Kentucky medical license renewal application upon which he presented that he was "retired" that he did not have an active DEA registration and that he had no practice address. In fact, Licensee had an active DEA registration and was actively practicing at the New Image Weight Loss Center, located at 1621 Ashland Road, Greenup, Kentucky;

WHEREAS, On or about March 1, 2013, an anonymous caller reported to the Kentucky Board of Medical Licensure that Licensee was dispensing medication from the New Image Weight Loss Center in Greenup, Kentucky and not reporting to the Kentucky All Schedule Prescription Electronic Reporting System (KASPER). On or about April 11, 2013, investigators of the Kentucky Board and the Office of the Inspector General, Drug Enforcement and Professional Practice Branch of the Cabinet for Health and Family Services went to the New Image Weight Loss Center and met with Licensee. During this visit, Licensee acknowledged that he did not know he was supposed to report all medications dispensed from his office to KASPER; that controlled substances were dispensed from the office but had not been reported to the KASPER database; and that he had been ordering

medications without personally dispensing it to the patient and without checking the medication for appropriateness prior to dispensation. During the investigators visit, expired (as of May 2012) phendimetrazine in 30-count bottles were observed in the medications storage area. Medications pre-counted and sorted for the day's patients were not labeled with an expiration date or lot number;

WHEREAS, On December 16, 2013, Licensee surrendered, in lieu of revocation, his license to practice medicine in the Commonwealth of Kentucky, effective immediately upon filing of an Agreed Order of Surrender, and continuing INDEFINITELY until further ORDER of the (Kentucky) Board;

WHEREAS, such conduct is in violation of the Mississippi Medical Practice Act, specifically Mississippi Code Ann., Section 73-25-29 (8)(d), (9) and (10) and Section 73-25-83(a), as amended, for which the Mississippi State Board of Medical Licensure may suspend, revoke, or restrict the license or denial of reinstatement or renewal of a license, or take any other action the Board may deem proper under the circumstances;

WHEREAS, Licensee wishes to avoid an evidentiary hearing before the Board by voluntarily relinquishing his right to practice medicine in the State of Mississippi:

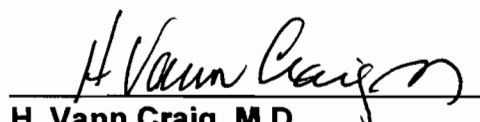
NOW, THEREFORE, Licensee hereby voluntarily surrenders his medical license (Number 06327) to practice medicine in the State of Mississippi. Licensee understands that this is an unconditional surrender, is reportable as disciplinary action to the National Practitioner Data Bank, and is a public record of the State of Mississippi. In the event Licensee later decides to practice medicine in the State of Mississippi, it will be necessary for him to submit a new application with the Board. At such time, the Board reserves the right

to utilize all evidence, including all facts developed during the current investigation, as part of the consideration of any application.

EXECUTED this the 26th day of March, 2014.


DANIEL AGCAOILI MARTELINO

ACCEPTED AND APPROVED this the 1st day of April 2014, by
the Mississippi State Board of Medical Licensure.


H. Vann Craig, M.D.
Executive Director
Mississippi State Board of
Medical Licensure

Mississippi Secretary of State
700 North Street P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Board of Medical Licensure		CONTACT PERSON Rhonda Freeman	TELEPHONE NUMBER (601) 987-0223	
ADDRESS 1867 Crane Ridge Drive, Suite 200-B		CITY Jackson	STATE MS	ZIP 39216
EMAIL rhonda@msbml.ms.gov	SUBMIT DATE 5-16-14	Name or number of rule(s): Part 2610 Chapter 1: Change of Address		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: Rule 1.1 was modified to include mailing address. Rule 1.2 was also added language that will require licensees to use direct contact information.

Specific legal authority authorizing the promulgation of rule: 73-43-14

List all rules repealed, amended, or suspended by the proposed rule: N/A

ORAL PROCEEDING:

- An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____
- Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

ECONOMIC IMPACT STATEMENT:

- Economic impact statement not required for this rule. Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
_____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	Action proposed: _____ New rule(s) <input checked="" type="checkbox"/> Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference Proposed final effective date: <input checked="" type="checkbox"/> 30 days after filing _____ Other (specify): _____	Date Proposed Rule Filed: _____ Action taken: _____ Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed Effective date: _____ 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: _____

Signature of person authorized to file rules: _____

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
Accepted for filing by	Accepted for filing by	Accepted for filing by

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.



DELBERT HOSEMANN
Secretary of State

CONCISE SUMMARY OF ECONOMIC IMPACT STATEMENT

An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Act. This is a Concise Summary of the Economic Impact Statement which must be filed with the Secretary of State's Office.

AGENCY NAME Board of Medical Licensure	CONTACT PERSON Rhonda Freeman	TELEPHONE NUMBER (601) 987-0223
ADDRESS 1867 Crane Ridge Drive, Suite 200-B	CITY Jackson	STATE MS
EMAIL rhonda@msbml.ms.gov	ZIP 39216	
DESCRIPTIVE TITLE OF PROPOSED RULE Part 2610 Chapter 1: Change of Address, Rule 1.1 and Rule 1.2		
Specific Legal Authority Authorizing the promulgation of Rule: 73-43-14	Reference to Rules repealed, amended or suspended by the Proposed Rule: N/A	

A. Estimated Costs and Benefits

1. Briefly summarize the benefits that may result from this regulation and who will benefit:

This rule will ensure that the Board will receive updated addresses of licensees and will eliminate the use of contact information that is not the licensee's. The Board will benefit from this rule by obtaining accurate contact information from the licensee. The licensee will benefit from this rule by ensuring that they will receive correspondence sent by the Board.

2. Briefly describe the need for the proposed rule:

The Board routinely sends information to licensees. Currently, contact information for licensee is not always the licensee's contact information and, therefore, the licensee never finds out about proposed rules, renewal periods, etc. This rule is needed to help ensure that licensees are using their direct contact information and not the information of licensing organizations and office managers.

3. Briefly describe the effect the proposed action will have on the public health, safety, and welfare:

This rule will ensure the Board has updated contact information from the licensees which will allow the Board to contact licensees directly when there are concerns regarding patients.

4. Estimated Cost of implementing proposed action:

- a. To the agency
 Nothing Minimal Moderate Substantial Excessive
- b. To other state or local government entities
 Nothing Minimal Moderate Substantial Excessive

5. Estimated Cost and/or economic benefit to all persons directly affected by the proposed rule:

- c. Cost:
 Nothing Minimal Moderate Substantial Excessive

d. Economic Benefit:

Nothing Minimal Moderate Substantial Excessive

6. Estimated impact on small businesses:

Nothing Minimal Moderate Substantial Excessive

a. Estimate of the number of small businesses subject to the proposed regulation: 10,500

b. Projected costs for small businesses to comply: Unknown

c. Statement of probable effect on impacted small businesses: The proposed actions require licensees to use their direct contact information instead that of officer personnel.

7. The cost of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):

substantially less than moderately less than minimally less than
 the same as minimally more than moderately more than
 substantially more than excessively more than

8. The benefit of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):

substantially less than moderately less than minimally less than
 the same as minimally more than moderately more than
 substantially more than excessively more than

B. Reasonable Alternative Methods

1. Other than adopting this rule, are there less costly or less intrusive methods for achieving the purpose of the proposed rule?

yes no

2. If yes, please briefly describe available, reasonable alternative(s) and the reasons for rejecting those alternatives in favor of the proposed rule. (Please see §25-43-4.104 for factors you must consider.)

C. Data and Methodology

1. Please briefly describe the data and methodology you used in making the estimates required by this form.

This rule addresses the Board's licensees. The Board currently has licensed approximately 10,500 licensees. Due to past experiences, the Board has had to track down licensees who have not used their direct contact information.

D. Public Notice

1. Where, when, and how may someone present their views on the proposed rule and demand an oral proceeding on the proposed rule if one is not already provided? In writing to the following address:

Mississippi State Board of Medical Licensure
Attn: Vann Craig, M.D.
1867 Crane Ridge Drive Suite 200-B
Jackson MS 39216

SIGNATURE

TITLE

Bureau Director

DATE

5/15/2014

PROPOSED EFFECTIVE DATE OF RULE

30 days from final filing

Part 2610 Chapter 1: Change of Address

Rule 1.1 Change of Address. Any physician who is licensed to practice medicine in this state and changes his or her practice location or mailing address shall immediately notify the Board in writing of the change of location. Failure to notify within thirty (30) days could result in disciplinary action.

Amended May 17, 2007.

Source: *Miss. Code Ann. §73-25-14 (1972, as amended).*

Rule 1.2 Addresses, Emails and Telephone Numbers. The Board routinely sends information to licensed physicians. Whether it be by U.S. Mail or electronically, it is important that this information is received by the licensee. The licensure record of the licensee should include a physical practice location, mailing address, email address and telephone number where the Board can correspond with the licensee directly. The Board discourages the use of office personnel's mailing and email addresses as well as telephone numbers. Failure to provide the Board with direct contact information could result in disciplinary action.

Source: *Miss. Code Ann. §73-25-14 (1972, as amended).*

Mississippi Secretary of State
 700 North Street P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Board of Medical Licensure		CONTACT PERSON Rhonda Freeman	TELEPHONE NUMBER (601) 987-0223	
ADDRESS 1867 Crane Ridge Drive, Suite 200-B		CITY Jackson	STATE MS	ZIP 39216
EMAIL rhonda@msbml.ms.gov	SUBMIT DATE 5-22-14	Name or number of rule(s): Part 2615 Chapter 1: The Practice of Physician Assistants		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: Rule 1.10 was modified to include mailing address. Language was added that will require licensees to use direct contact information.

Specific legal authority authorizing the promulgation of rule: 73-26-5

List all rules repealed, amended, or suspended by the proposed rule: N/A

ORAL PROCEEDING:

An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____

Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

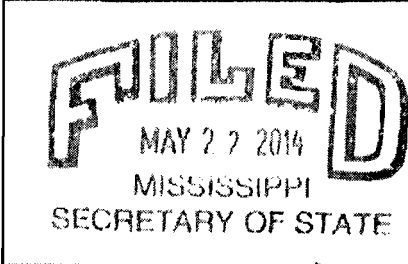
ECONOMIC IMPACT STATEMENT:

Economic impact statement not required for this rule. Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
<input type="checkbox"/> Original filing <input type="checkbox"/> Renewal of effectiveness To be in effect in _____ days Effective date: <input type="checkbox"/> Immediately upon filing <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 final effective date: <input checked="" type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): _____	Date Proposed Rule Filed: _____ 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 <input type="checkbox"/> Repeal adopted as proposed Effective date: <input type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): _____

Printed name and Title of person authorized to file rules: Rhonda Freeman, Bureau Director

Signature of person authorized to file rules: *Rhonda Freeman*

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
		
Accepted for filing by	Accepted for filing by <i>#20545 AW</i>	Accepted for filing by

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Part 2615 Chapter 1: The Practice of Physician Assistants

Rule 1.10 Duty to Notify Board of Change of Address. Any physician assistant who is licensed to practice as a physician assistant in this state and changes his or her practice location or mailing address, shall immediately notify the Board in writing of the change. Failure to notify within 30 days could result in disciplinary action.

The Board routinely sends information to licensed physician assistants. Whether it be by U.S. Mail or electronically, it is important that this information is received by the licensee. The licensure record of the licensee should include a physical practice location, mailing address, email address and telephone number where the Board can correspond with the licensee directly. The Board discourages the use of office personnel's mailing and email addresses as well as telephone numbers. Failure to provide the Board with direct contact information could result in disciplinary action.

Source: *Miss. Code Ann. §73-26-5 (1972, as amended).*

Part 2615 Chapter 1: The Practice of Physician Assistants

Rule 1.10 Duty to Notify Board of Change of Address. Any physician assistant who is licensed to practice as a physician assistant in this state and changes his or her practice location or mailing address, shall immediately notify the Board in writing of the change ~~of location~~. Failure to notify within 30 days could result in disciplinary action.

The Board routinely sends information to licensed physician assistants. Whether it be by U.S. Mail or electronically, it is important that this information is received by the licensee. The licensure record of the licensee should include a physical practice location, mailing address, email address and telephone number where the Board can correspond with the licensee directly. The Board discourages the use of office personnel's mailing and email addresses as well as telephone numbers. Failure to provide the Board with direct contact information could result in disciplinary action.

Source: *Miss. Code Ann. §73-26-5 (1972, as amended).*

Mississippi Secretary of State
 700 North Street P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Board of Medical Licensure		CONTACT PERSON Rhonda Freeman	TELEPHONE NUMBER (601) 987-0223	
ADDRESS 1867 Crane Ridge Drive, Suite 200-B		CITY Jackson	STATE MS	ZIP 39216
EMAIL rhonda@msbml.ms.gov	SUBMIT DATE 5-22-14	Name or number of rule(s): Part 2620 Chapter I: The Practice of Radiologist Assistants		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: Rule 1.7 was modified to include mailing address. Language was added that will require licensees to use direct contact information.

Specific legal authority authorizing the promulgation of rule: 41-58-7

List all rules repealed, amended, or suspended by the proposed rule: N/A

ORAL PROCEEDING:

An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____

Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

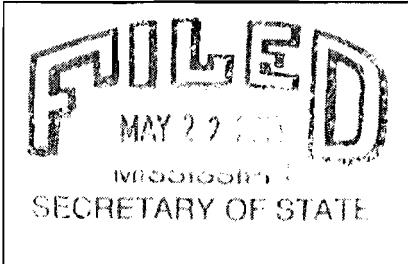
ECONOMIC IMPACT STATEMENT:

Economic impact statement not required for this rule. Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
<input type="checkbox"/> Original filing <input type="checkbox"/> Renewal of effectiveness To be in effect in _____ days Effective date: <input type="checkbox"/> Immediately upon filing <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 final effective date: <input checked="" type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): _____	Date Proposed Rule Filled: _____ 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 <input type="checkbox"/> Repeal adopted as proposed Effective date: <input type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): _____

Printed name and Title of person authorized to file rules: Rhonda Freeman, Bureau Director

Signature of person authorized to file rules: *Rhonda Freeman*

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
		
Accepted for filing by	Accepted for filing by <i>RW</i> #20546	Accepted for filing by

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Part 2620 Chapter 1: The Practice of Radiologist Assistants

Rule 1.7 Duty to Notify Board of Change of Address. Any radiologist assistant who is licensed or receives a license to practice as a radiologist assistant in this state and thereafter changes his or her practice location or mailing address from what was noted in the application upon which he or she received a license, shall immediately notify the Board in writing of the change. Failure to notify within 30 days could result in disciplinary action.

The Board routinely sends information to licensed radiologist assistants. Whether it be by U.S. Mail or electronically, it is important that this information is received by the licensee. The licensure record of the licensee should include a physical practice location, mailing address, email address and telephone number where the Board can correspond with the licensee directly. The Board discourages the use of office personnel's mailing and email addresses as well as telephone numbers. Failure to provide the Board with direct contact information could result in disciplinary action.

Source: *Miss. Code Ann. §41-58-7 (1972, as amended).*

Part 2620 Chapter 1: The Practice of Radiologist Assistants

Rule 1.7 Duty to Notify Board of Change of Address. Any radiologist assistant who is licensed or receives a license to practice as a radiologist assistant in this state and thereafter changes his or her practice location or mailing address from what was noted in the application upon which he or she received a license, shall immediately notify the Board in writing of the change ~~of location~~. Failure to notify within 30 days could result in disciplinary action.

The Board routinely sends information to licensed radiologist assistants. Whether it be by U.S. Mail or electronically, it is important that this information is received by the licensee. The licensure record of the licensee should include a physical practice location, mailing address, email address and telephone number where the Board can correspond with the licensee directly. The Board discourages the use of office personnel's mailing and email addresses as well as telephone numbers. Failure to provide the Board with direct contact information could result in disciplinary action.

Source: *Miss. Code Ann. §41-58-7 (1972, as amended).*

Mississippi Secretary of State
 700 North Street P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Board of Medical Licensure		CONTACT PERSON Rhonda Freeman	TELEPHONE NUMBER (601) 987-0223	
ADDRESS 1867 Crane Ridge Drive, Suite 200-B		CITY Jackson	STATE MS	ZIP 39216
EMAIL rhonda@msbml.ms.gov	SUBMIT DATE 5-22-14	Name or number of rule(s): Part 2625 Chapter 1: The Practice of Acupuncture		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: Rule 1.8 was modified to include mailing address. Language was added that will require licensees to use direct contact information.

Specific legal authority authorizing the promulgation of rule: 73-71-13

List all rules repealed, amended, or suspended by the proposed rule: N/A

ORAL PROCEEDING:

- An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____
- Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

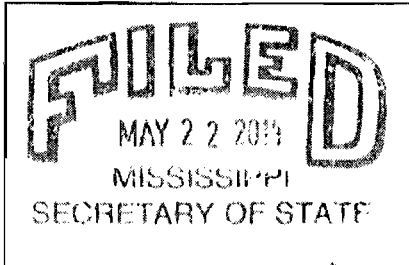
ECONOMIC IMPACT STATEMENT:

- Economic impact statement not required for this rule. Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
<input type="checkbox"/> Original filing <input type="checkbox"/> Renewal of effectiveness To be in effect in _____ days Effective date: <input type="checkbox"/> Immediately upon filing <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 final effective date: <input checked="" type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): _____	Date Proposed Rule Filed: _____ 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 <input type="checkbox"/> Repeal adopted as proposed Effective date: <input type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): _____

Printed name and Title of person authorized to file rules: Rhonda Freeman, Bureau Director

Signature of person authorized to file rules: *Rhonda Freeman*

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
		
Accepted for filing by	Accepted for filing by <i>[Signature]</i> #20547	Accepted for filing by

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Part 2625: Chapter 1 The Practice of Acupuncture

Rule 1.8 Duty to Notify Board of Change of Address. Any acupuncturist who is licensed to practice as an acupuncturist in this state and changes their practice location or mailing address shall immediately notify the Board in writing of the change. Failure to notify within 30 days could result in disciplinary action.

The Board routinely sends information to licensed acupuncturists. Whether it be by U.S. Mail or electronically, it is important that this information is received by the licensee. The licensure record of the licensee should include a physical practice location, mailing address, email address and telephone number where the Board can correspond with the licensee directly. The Board discourages the use of office personnel's mailing and email addresses as well as telephone numbers. Failure to provide the Board with direct contact information could result in disciplinary action.

Source: *Miss. Code Ann. §73-71-13 (1972, as amended).*

Part 2625: Chapter 1 The Practice of Acupuncture

Rule 1.8 Duty to Notify Board of Change of Address. Any acupuncturist who is licensed to practice as an acupuncturist in this state and changes their practice location or mailing address shall immediately notify the Board in writing of the change ~~of location~~. Failure to notify within 30 days could result in disciplinary action.

The Board routinely sends information to licensed acupuncturists. Whether it be by U.S. Mail or electronically, it is important that this information is received by the licensee. The licensure record of the licensee should include a physical practice location, mailing address, email address and telephone number where the Board can correspond with the licensee directly. The Board discourages the use of office personnel's mailing and email addresses as well as telephone numbers. Failure to provide the Board with direct contact information could result in disciplinary action.

Source: *Miss. Code Ann. §73-71-13 (1972, as amended).*

Mississippi Secretary of State
700 North Street P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Board of Medical Licensure		CONTACT PERSON Rhonda Freeman	TELEPHONE NUMBER (601) 987-0223	
ADDRESS 1867 Crane Ridge Drive, Suite 200-B		CITY Jackson	STATE MS	ZIP 39216
EMAIL rhonda@msbml.ms.gov	SUBMIT DATE 5-16-14	Name or number of rule(s): Part 2601 Chapter 7: Expedited Licensure		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: Part 2601 Chapter 7: Expedited Licensure is being proposed due to 2013 Legislation which was passed directing the Board of Medical Licensure to issue expedited licensure to military applicants and their spouses.

Specific legal authority authorizing the promulgation of rule: 73-50-1

List all rules repealed, amended, or suspended by the proposed rule: N/A

ORAL PROCEEDING:

- An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____
- Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

ECONOMIC IMPACT STATEMENT:

- Economic impact statement not required for this rule. Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
_____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	Action proposed: <input checked="" type="checkbox"/> New rule(s) _____ Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference Proposed final effective date: <input checked="" type="checkbox"/> 30 days after filing _____ Other (specify): _____	Date Proposed Rule Filed: _____ Action taken: _____ Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed Effective date: _____ 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: _____

Signature of person authorized to file rules: _____

OFFICIAL FILING STAMP <div style="border: 1px solid black; height: 150px; width: 100%;"></div> Accepted for filing by	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP <div style="border: 1px solid black; height: 150px; width: 100%;"></div> Accepted for filing by	OFFICIAL FILING STAMP <div style="border: 1px solid black; height: 150px; width: 100%;"></div> Accepted for filing by
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The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.



DELBERT HOSEMANN
Secretary of State

CONCISE SUMMARY OF ECONOMIC IMPACT STATEMENT

An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Act. This is a Concise Summary of the Economic Impact Statement which must be filed with the Secretary of State's Office.

AGENCY NAME Board of Medical Licensure	CONTACT PERSON Rhonda Freeman	TELEPHONE NUMBER (601) 987-0223
ADDRESS 1867 Crane Ridge Drive, Suite 200-B	CITY Jackson	STATE MS
EMAIL rhonda@msbml.ms.gov	ZIP 39216	
DESCRIPTIVE TITLE OF PROPOSED RULE Part 2610 Chapter 1: Change of Address, Rule 1.1 and Rule 1.2		
Specific Legal Authority Authorizing the promulgation of Rule: 73-43-14	Reference to Rules repealed, amended or suspended by the Proposed Rule: N/A	

A. Estimated Costs and Benefits

1. Briefly summarize the benefits that may result from this regulation and who will benefit:

Military applicants and their spouses will obtain professional licenses quicker.
2. Briefly describe the need for the proposed rule:

Military applicants and their spouses will be able to practice upon entry into Mississippi.
3. Briefly describe the effect the proposed action will have on the public health, safety, and welfare:

Military applicants and their spouses will be able to begin practicing medicine quicker.
4. Estimated Cost of implementing proposed action:
 - a. To the agency
 Nothing Minimal Moderate Substantial Excessive
 - b. To other state or local government entities
 Nothing Minimal Moderate Substantial Excessive
5. Estimated Cost and/or economic benefit to all persons directly affected by the proposed rule:
 - c. Cost:
 Nothing Minimal Moderate Substantial Excessive
 - d. Economic Benefit:
 Nothing Minimal Moderate Substantial Excessive
6. Estimated impact on small businesses:
 Nothing Minimal Moderate Substantial Excessive

- a. Estimate of the number of small businesses subject to the proposed regulation: unknown
- b. Projected costs for small businesses to comply: Unknown
- c. Statement of probable effect on impacted small businesses: Military licensees and their spouses will be able to begin practice sooner.

7. The cost of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):

- substantially less than moderately less than minimally less than
- the same as minimally more than moderately more than
- substantially more than excessively more than

8. The benefit of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):

- substantially less than moderately less than minimally less than
- the same as minimally more than moderately more than
- substantially more than excessively more than

B. Reasonable Alternative Methods

1. Other than adopting this rule, are there less costly or less intrusive methods for achieving the purpose of the proposed rule?

- yes no

2. If yes, please briefly describe available, reasonable alternative(s) and the reasons for rejecting those alternatives in favor of the proposed rule. (Please see §25-43-4.104 for factors you must consider.)

C. Data and Methodology

1. Please briefly describe the data and methodology you used in making the estimates required by this form.

There is no way to know how many military trained physicians and physician assistants are proposing to practice in Mississippi.

D. Public Notice

1. Where, when, and how may someone present their views on the proposed rule and demand an oral proceeding on the proposed rule if one is not already provided? In writing to the following address:

Mississippi State Board of Medical Licensure
 Attn: Vann Craig, M.D.
 1867 Crane Ridge Drive Suite 200-B
 Jackson MS 39216

SIGNATURE	TITLE Bureau Director
DATE 5/15/2014	PROPOSED EFFECTIVE DATE OF RULE 30 days from final filing

Part 2601 Chapter 7: Expedited Licensure

Rule 7.1 Military Applicants.

A. Pursuant to MS Code Ann. Section 73-50-1, the Board of Medical Licensure is authorized to issue an expedited license to a military-trained applicant to allow the applicant to lawfully practice medicine in Mississippi. In order to receive the expedited license, the following requirements must be satisfied:

1. Complete an application for medical license and submit it to the Board in the manner prescribed by the Board with a recent passport type photograph.
2. Submit documentation that applicant has been awarded a military occupational specialty.
3. Submit documentation of completion of a military program of training.
4. Submit verification of a completed licensing examination as described in Rule 2.3.
5. Have two references submit letters regarding applicant's performance in the practice of medicine.
6. Submit verification that at least two of the past five years preceding the date of submission of the application applicant has engaged in the active practice of medicine.
7. Submit certification that applicant has not committed any act in any jurisdiction that would have constituted grounds for refusal, suspension or revocation of a license to practice medicine in Mississippi at the time the act was committed.
8. Appear for a personal interview in the office of the Board, successfully pass the Jurisprudence Examination as administered by the Board, and submit for a criminal background check.
9. Submit licensure fee prescribed by the Board.

B. Pursuant to MS Code Ann. Section 73-50-1, the Board of Medical Licensure is authorized to issue a license to a military spouse to allow the military spouse to lawfully practice medicine in Mississippi. In order to receive the expedited license, the following requirements must be satisfied:

1. Complete an application for medical license and submit it to the Board in the manner prescribed by the Board with a recent passport type photograph.
2. Submit certification of a current license from another jurisdiction, in which that jurisdiction's requirements for licensure are substantially equivalent to or exceed the requirements for licensure of the Board.
3. Submit verification that at least two of the past five years preceding the date of submission of the application applicant has engaged in the active practice of medicine.
4. Submit certification that applicant has not committed any

- act in any jurisdiction that would have constituted grounds for refusal, suspension or revocation of a license to practice medicine in Mississippi at the time the act was committed.
5. Submit verification that applicant is in good standing and has not been disciplined by the agency that had jurisdiction to issue the license.
 6. Submit licensure fee prescribed by the Board.
 7. Appear for a personal interview in the office of the Board, successfully pass the Jurisprudence Examination as administered by the Board, and submit for a criminal background check.
- C. All relevant experience of a military service member in the discharge of official duties or, for a military spouse, all relevant experience, including full-time and part-time experience, regardless of whether in a paid or volunteer capacity, shall be credited in the calculation of years of practice in the practice of medicine as required under subsection A or B of this section.
- D. A nonresident licensed under this section shall be entitled to the same rights and subject to the same obligations as required of a resident licensed by the Board.
- E. The Board may issue a temporary practice permit to a military-trained applicant or military spouse licensed in another jurisdiction while the military-trained applicant or military spouse is satisfying the requirements for licensure under subsection A or B of this section if that jurisdiction has licensure standards substantially equivalent to the standards for licensure of the Board. The military-trained applicant or military spouse may practice under the temporary permit until a license is granted or until a notice to deny a license is issued in accordance with rules adopted by the Board.

Source: Miss. Code Ann. §73-25-19 (1972, as amended).

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN LICENSE

OF

PATRICK JOSEPH PASCO, D.O.

SURRENDER OF MEDICAL LICENSE

WHEREAS, PATRICK JOSEPH PASCO, D.O., hereinafter referred to as "Licensee," is the current holder of License Number 07510, issued on February 2, 1976, to practice medicine in the State of Mississippi;

WHEREAS, the Investigative Staff of the Mississippi State Board of Medical Licensure, hereinafter referred to as the "Board," has conducted an investigation into the medical practice of Licensee in Magee, Mississippi, and has in its possession evidence which, if produced during the course of an evidentiary hearing, would substantiate that Licensee has violated provisions of the Board's Administrative Code, "Pertaining to Prescribing, Administering, and Dispensing of Medication;" is guilty of administering, dispensing or prescribing narcotic drugs or other drugs having addiction-forming or addiction-sustaining liability otherwise than in the course of legitimate professional practice; and is guilty of unprofessional conduct, which includes being guilty of any dishonorable or unethical conduct likely to deceive, defraud or harm the public;

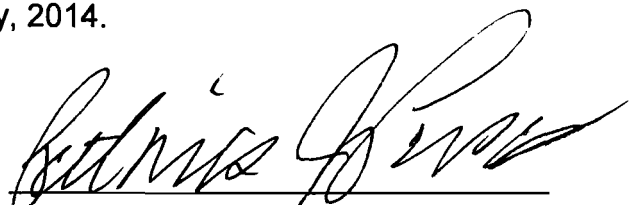
WHEREAS, the above conduct, if established before the Board, constitutes violations of the Mississippi Medical Practice Act, specifically, Subsections (3), (8)(d), and (13) of § 73-25-29 and § 73-25-83(a), Miss. Code Ann. (1972), as amended, for which the

Board 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 an evidentiary hearing before the Board by voluntarily relinquishing his right to practice medicine in the State of Mississippi. Pursuant to Mississippi Code, § 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 Surrender by the Board and notice to Licensee;

NOW, THEREFORE, Licensee hereby voluntarily surrenders his medical license (Number 07510) to practice medicine in the State of Mississippi. Licensee understands that this is an unconditional surrender, is reportable as disciplinary action to the National Practitioner Data Bank, and is a public record of the State of Mississippi. By signing this surrender, Licensee agrees to never make application for licensure in the State of Mississippi hereafter. In an effort to allow Licensee the opportunity to properly close his practice, this surrender shall take effect on July 1, 2014.

EXECUTED this the 14 day of May, 2014.


Patrick Joseph Pasco, D.O.

ACCEPTED AND APPROVED this the 15TH day of May, 2014, by the Mississippi

State Board of Medical Licensure.

H. Vann Craig, M.D.

**H. Vann Craig, M.D., Executive Director
Mississippi State Board of Medical
Licensure**

JULY 2014

**MINUTES
EXECUTIVE COMMITTEE MEETING
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
JULY 09, 2014**

MEMBERS PRESENT:

Virginia M. Crawford, M.D., Hattiesburg, President
William S. Mayo, D.O., Oxford, Vice President
Charles D. Miles, M.D., West Point, Secretary

ALSO PRESENT:

H. Vann Craig, M.D., Director
Stan T. Ingram, Complaint Counsel for the Board
Ellen O'Neal, Assistant Attorney General
Rhonda Freeman, Bureau Director, Licensure Division
Thomas Washington, Bureau Director, Investigative Division
Frances Carrillo, Special Projects Officer, Investigative Division
Mickey Boyette, Investigator, Investigative Division
Jonathan Dalton, Investigator, Investigative Division
Sherry H. Pilgrim, Staff Officer

NOT PRESENT:

Leslie Ross, Investigations Supervisor

The Executive Committee of the Mississippi State Board of Medical Licensure met on Wednesday, July 09, 2014, at 1:15 p.m. in the Board Room of the Office of the Board located at 1867 Crane Ridge Drive, Jackson, Mississippi.

**PERSONAL APPEARANCE BY FRED H. INGRAM, M.D., JACKSON, MISSISSIPPI
MEDICAL LICENSE NUMBER 05629**

Dr. Craig advised that Dr. Ingram was invited to the Executive Committee to discuss an anonymous complaint received by the Board where two (2) individuals went to the emergency room and were on meds prescribed by Dr. Ingram for on-going problems questionable for an ob/gyn.

Dr. Ingram joined the meeting and was not represented by legal counsel. Dr. Craig introduced Dr. Ingram to the Executive Committee and advised the reason why he had been invited to appear before the Executive Committee. Mr. Ingram advised that Dr. Ingram had executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

EXECUTIVE COMMITTEE MINUTES

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July 09, 2014

Dr. Ingram advised that both of these individuals had been long time patients that he was treating and discussed their medications and the frequency he sees them. Dr. Ingram advised that he does utilize the Prescription Monitoring Program (PMP) and responded to several questions from Committee members.

Dr. Crawford thanked Dr. Ingram for coming and advised that the Executive Committee will discuss and make their recommendation to the Full Board on Thursday and provide him a letter shortly with the decision.

Following a motion by Dr. Miles, seconded by Dr. Mayo, the Executive Committee went into Executive Session to discuss a matter which could possibly lead to disciplinary action.

Following a motion by Dr. Crawford, seconded by Dr. Mayo, the Executive Committee came out of Executive Session at which time Dr. Crawford asked Dr. Miles to report on their decision. Dr. Miles advised that the Executive Committee will recommend to the Full Board that they suggest that Dr. Ingram monitor his patients' medications more closely including using PMP. The Executive Committee requested that Dr. Craig send a letter to Dr. Ingram advising the same.

PERSONAL APPEARANCE BY IKECHUKWU H. OKORIE, M.D., HATTIESBURG, MISSISSIPPI MEDICAL LICENSE NUMBER 19875

Dr. Craig advised that Dr. Okorie had called him and already had plans for a family/work vacation and that he had agreed to discuss Dr. Okorie's matter. Dr. Craig advised that Dr. Okorie has a pain practice and two (2) APRNs. Dr. Craig advised that even though Dr. Okorie had 190 CME hours for the past two (2) years, that unfortunately only 43 hours are face-to-face pain management hours as required by the Board's rules and regulations. Also, Dr. Craig advised that there are concerns with the protocols for the APRNs and said they are minimal at best. Dr. Craig provided a copy of Dr. Okorie's PMP report for the last six (6) months on a certain portion of the alphabet.

Following a brief discussion by Committee members, it was felt that Dr. Okorie does not currently meet the requirements for a pain management certificate. Motion was made by Dr. Mayo, seconded by Dr. Miles, to move to deny Dr. Okorie's application for a pain management certificate because he does not meet the education requirements of the Board and cannot operate a pain management practice under our current regulations. Also, the Board is to investigate the problem further, monitor his prescribing and invite him before the Executive Committee if the prescribing issues continue.

EXECUTIVE COMMITTEE MINUTES

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PERSONAL APPEARANCE BY MARSHALL BOULDIN, M.D., JACKSON, MISSISSIPPI MEDICAL LICENSE NUMBER 12970

Dr. Craig advised that Dr. Bouldin had been invited to appear before the Executive Committee and briefly discussed the Diabetes Care Group and how he has concerns with some of the Free Standing Clinics. Dr. Craig advised that a couple of the Free Standing Clinic requests have been denied and that they withdrew the original request and sent in new arrangements. Dr. Craig advised that he had invited Dr. Bouldin to briefly discuss their program and how it works for the Committee's decision.

Dr. Bouldin joined the meeting and was not represented by legal counsel. Dr. Craig provided the introductions. Mr. Ingram advised that Dr. Bouldin had executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

Dr. Bouldin thanked the Committee for the opportunity to come and provide an overview of their program and provided the members with a handout before briefly discussing their training program and advised that he is the medical director. Dr. Bouldin advised that he feels that after changes that they are in compliance with the Board's rules and regulations.

Dr. Crawford thanked Dr. Bouldin for appearing and advised that the Executive Committee would discuss the matter and provide their recommendation to the Full Board on Thursday and advise him of the outcome in the next several days.

Motion was made by Dr. Miles, seconded by Dr. Mayo, that the Executive Committee enter into Executive Session to discuss a matter which could possibly lead to disciplinary action.

Upon a motion by Dr. Crawford, seconded by Dr. Mayo, the Executive Committee came out of Executive Session at which time Dr. Crawford asked Dr. Miles to report on their decision. Dr. Miles advised that no vote or action was taken that the Executive Committee feels that the system of care is excellent but will ask Dr. Bouldin for approval for clinics outside the 15 miles range as Free Standing Clinics. Dr. Bouldin is to be sent a letter to cease and desist with the clinics that are in violation until they file applications that are approved by the Board as Free Standing Clinics.

PERSONAL APPEARANCE BY SAMUEL MARCUS ALLEN, II, M.D., QUITMAN, MISSISSIPPI MEDICAL LICENSE NUMBER 06374

Dr. Craig advised that Dr. Allen had been invited to appear before the Executive Committee to discuss why he has operated a Free Standing Clinic for some time

EXECUTIVE COMMITTEE MINUTES

Page 4

July 09, 2014

without requesting the Board's approval.

Dr. Allen joined the meeting and was not represented by legal counsel. Dr. Craig introduced Dr. Allen. Mr. Ingram advised that he had executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

Dr. Allen brought the two (2) protocols for the APRNs that the Board had requested and provided them for the Committee's review. Dr. Allen advised that he did not request the Board's approval because he did not know that he was suppose to and felt that he was within the Board's approved mileage. Dr. Allen advised that he reviews charts quarterly. Dr. Allen was advised that the Board's regulations require monthly chart reviews. Also, the Board reminded Dr. Allen that the reviews are to be on charts that he selects and not ones selected by the APRNs.

Following several questions by Committee members, motion was made by Dr. Mayo, seconded by Dr. Crawford, that the Executive Committee enter into Executive Session to discuss a matter which could possibly lead to disciplinary action.

Upon a motion by Dr. Crawford, seconded by Dr. Mayo, the Executive Committee came out of Executive Session at which time Dr. Crawford asked Dr. Miles to report on the Committee's decision. Dr. Miles advised that since by Dr. Allen's on admission he has not followed the regulations that the Board that they instruct him to cease the collaborative relationship until such time he has met all the regulations; otherwise, his actions could result in disciplinary action.

DISCUSS THE BOARD'S REGULATION PART 2640 CHAPTER 1, RULE 1.15 H (1), TRAINING REQUIREMENT FOR ALL PHYSICIANS PRACTICING IN PAIN MANAGEMENT MEDICAL PRACTICES

Dr. Craig briefly discussed the issue and discussed section H concerning the CME requirement and stated that there were questions concerning the Board's intent when the regulation was drafted and approved.

After a brief discussion, it was decided the matter would be referred back to the Rules and Regulation Committee on Thursday for additional work.

DISCUSS REQUEST FROM LAWRENCE RIDDLES, M.D., EXECUTIVE VICE PRESIDENT, MEDICAL AFFAIRS AND QUALITY, CHIEF MEDICAL OFFICER, AT ST. DOMINIC

Dr. Craig briefly discussed the request from Dr. Riddles. Dr. Craig advised that the Board does not have an administrative medical license and occasionally the Board

EXECUTIVE COMMITTEE MINUTES

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July 09, 2014

receives such a request. After a brief discussion, the Executive Committee requested that Dr. Craig obtain information from other states as to their status and how the matter is handled. Once received, Dr. Craig is to report back to the Committee for consideration.

DISCUSS TELEMEDICINE QUESTION

Dr. Craig briefly discussed a request where a physician in Baton Rouge is practicing medicine and he feels that the physician needs a Mississippi medical license. Dr. Craig advised that he wanted to discuss with the Executive Committee for their opinion.

After discussing, the Executive Committee unanimously agreed that the patient encounter occurs where the patient is and that the physician needs a Mississippi medical license to be in compliance. The Executive Committee requested that Dr. Craig so advise the individual making the request.

DISCUSS APPLICATION FOR FREE STANDING CLINIC FROM GOLDEN TRIANGLE PLANNING AND DEVELOPMENT DISTRICT (GTPDD)

Dr. Craig advised that the attorneys requested that this matter be moved from Thursday's agenda and added on today for discussion.

Motion was made by Dr. Crawford, seconded by Dr. Mayo, that the Executive Committee enter into Executive Session to discuss a matter concerning possible litigation.

There were no votes taken but the Executive Committee advised Dr. Craig to send a letter to GTPDD advising that their application is being denied due to inadequate protocols.

REVIEW OF JULY 10, 2014, BOARD AGENDA

Dr. Craig briefly reviewed the agenda for tomorrow's meeting.

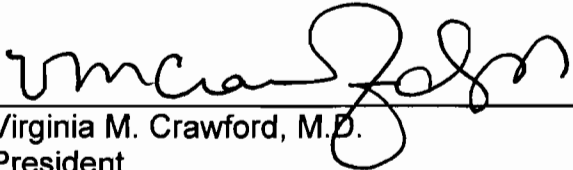
ADJOURNMENT

There being no further business, the meeting adjourned at 4:30 p.m.

EXECUTIVE COMMITTEE MINUTES

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Virginia M. Crawford, M.D.
President

Minutes taken and transcribed
by Sherry H. Pilgrim
Staff Officer
July 09, 2014

05629
6/30/15

**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**

I, Fred Houston Ingram, 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 the pending investigation of my license by the Board, the grounds if any for disciplinary action, and possible resolution of the same. 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 disciplinary action against my license.
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 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 *I was not advised I had this right.*

EXECUTED, this the 9th day of July, 2014.

Witness: Sherry Pilgrim

Fred H. Ingram M.D.
LICENSEE

Fred Ingram
NAME PRINTED

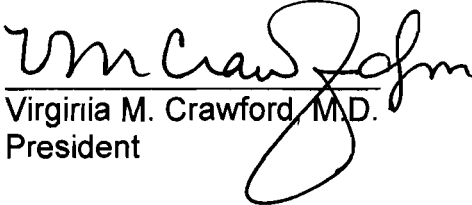
**EXECUTIVE SESSION - EXECUTIVE COMMITTEE
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
July 10, 2014**

AGENDA ITEM: Personal appearance by Fred Ingram, M.D.

In a motion by Dr. Crawford, seconded by Dr. Mayo, and carried the Executive Committee suggested that Dr. Ingram monitor patients' medication use more closely, including using the PMP. Dr. Craig will send a letter to recap decision.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Virginia M. Crawford, M.D.	X			
William S. Mayo, D.O.	X			
Charles D. Miles, M.D.	X			

With a motion by Dr. Crawford, seconded by Dr. Mayo, the Executive Committee came out of Executive Session.


Virginia M. Crawford, M.D.
President

**EXECUTIVE SESSION - EXECUTIVE COMMITTEE
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
July 10, 2014**

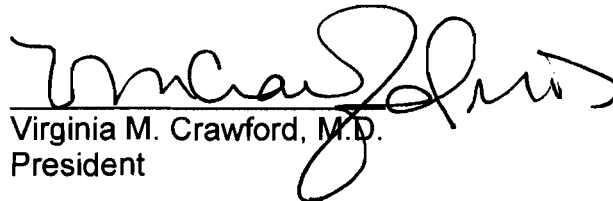
AGENDA ITEM: Personal appearance by Ikechukwu Okorie, M.D.

(Note: Dr. Okorie was not present but the matter was presented by Dr. Craig)

In a motion by Dr. Mayo, seconded by Dr. Crawford, and carried the Executive Committee voted to deny the application and monitor Dr. Okorie further.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Virginia M. Crawford, M.D.	X			
William S. Mayo, D.O.	X			
Charles D. Miles, M.D.	X			

With a motion by Dr. Crawford, seconded by Dr. Mayo, the Executive Committee came out of Executive Session.


Virginia M. Crawford, M.D.
President

12970
6/30/15

**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**

I, Marshall Bouldin, 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 the pending investigation of my license by the Board, the grounds if any for disciplinary action, and possible resolution of the same. 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 disciplinary action against my license.
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 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 9 day of July, 2014.

Witness. Sherry Pilgrin

Marshall Bouldin
LICENSEE

MARSHALL BOULDIN MD
NAME PRINTED

06374
6/30/15

**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**

I, Samuel Marcus Allen, II, 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 the pending investigation of my license by the Board, the grounds if any for disciplinary action, and possible resolution of the same. 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 disciplinary action against my license.
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 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 9 day of July, 2014.

Witness: Sherry Pilgrini

[Signature]

LICENSEE
Samuel M. Allen

NAME PRINTED

**EXECUTIVE SESSION - EXECUTIVE COMMITTEE
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
July 10, 2014**

AGENDA ITEM: Personal appearance by Samuel Marcus Allen, II, M.D..

In a motion by Dr. Mayo, seconded by Dr. Crawford, and carried the Executive Committee advised that since by his own admission, Dr. Allen has not followed the regulations, that they instructed him to cease all collaborative relationships until such time as he has met all the regulations. Otherwise, his actions could result in disciplinary actions.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Virginia M. Crawford, M.D.	X			
William S. Mayo, D.O.	X			
Charles D. Miles, M.D.	X			

With a motion by Dr. Crawford, seconded by Dr. Mayo, the Executive Committee came out of Executive Session.


Virginia M. Crawford, M.D.
President

BOARD

MEETING

MINUTES

BOARD MINUTES
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
JULY 10, 2014

The regularly scheduled meeting of the Mississippi State Board of Medical Licensure was held on Thursday, July 10, 2014, in the Board Room of the Office of the Board located at 1867 Crane Ridge Drive, Jackson, Mississippi.

The following members were present:

Virginia M. Crawford, M.D., Hattiesburg, President
William S. Mayo, D.O., Oxford, Vice President
Charles D. Miles, M.D., West Point, Secretary
Claude D. Brunson, M.D., Jackson
John C. Clay, M.D., Meridian
S. Randall Easterling, M.D., Vicksburg
C. Kenneth Lippincott, M.D., Tupelo
J. Ann Rea, M.D., Summit

Also present:

H. Vann Craig, M.D., Director
Stan T. Ingram, Complaint Counsel for the Board
Ellen O'Neal, Assistant Attorney General
Rhonda Freeman, Bureau Director, Licensure Division
Thomas Washington, Bureau Director, Investigative Division
Leslie Ross, Investigations Supervisor
Frances Carrillo, Special Projects Officer, Investigative Division
Sherry H. Pilgrim, Staff Officer
Wesley Breland, Hattiesburg, Consumer Health Committee
Charles Thomas, Yazoo City, Consumer Health Committee

Not present:

Rickey L. Chance, D.O., Ocean Springs
Maj Gen (Ret) Erik Hearon, Consumer Health Committee

The meeting was called to order at 9:00 a.m. by Dr. Crawford, President. The invocation was given by Dr. Easterling and the pledge was led by Dr. Brunson. Dr. Crawford welcomed Melissa Magee, Court Reporter, and extended a welcome to all visitors present at the meeting. Dr. Crawford introduced and welcomed three (3) new Board members to be sworn in shortly, Mr. Thomas, a returning Consumer Health Member, as well as new investigator, Kelli Harold.

BOARD MINUTES

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July 10, 2014

OATH OF OFFICE

Melissa Magee, Court Reporter, administered the Oath of Office to John C. Clay, M.D., Charles K. "Ken" Lippincott, M.D., and Jeanne Ann Rea, M.D., who were recently appointed as members of the Board of Medical Licensure. A copy of the Oath of Office is attached hereto and incorporated by reference. Each new Board member was given a Board pin by Dr. Craig.

Dr. Clay will be representing the First Supreme Court District, Dr. Rea will be representing the Second Supreme Court District, and Dr. Lippincott will be representing the Third Supreme Court District. All terms are for a six (6) year period ending June 30, 2020.

PUBLIC COMMENTS

Dr. Crawford opened the floor for public comments but there were none.

APPROVAL OF CERTIFICATION OF MISSISSIPPI LICENSES TO OTHER ENTITIES FOR THE PERIOD MAY 01, 2014 THROUGH MAY 31, 2014

One hundred eleven (111) licenses were certified to other entities for the period May 01, 2014, through May 31, 2014. Motion was made by Dr. Easterling, seconded by Dr. Mayo, and carried unanimously to approve these certifications.

APPROVAL OF LICENSES ISSUED FOR THE PERIOD MAY 01, 2014 THROUGH MAY 31, 2014

Fifty-one (51) licenses were issued for the period May 01, 2014, through May 31, 2014. Motion was made by Dr. Miles, seconded by Dr. Easterling, and carried unanimously to approve these licenses.

REVIEW OF MINUTES OF THE BOARD MEETING DATED MAY 15, 2014

Minutes of the Board Meeting dated May 15, 2014, were reviewed. Dr. Easterling moved for approval of the minutes as submitted. Dr. Mayo seconded the motion and it carried unanimously.

REPORT OF JULY 09, 2014, EXECUTIVE COMMITTEE MEETING

Dr. Craig briefly discussed issues that were discussed by the Executive Committee on July 09, 2014. Information pertaining to the Executive Committee's decisions/recommendations are included in the Executive Committee Minutes dated

BOARD MINUTES

Page 3

July 10, 2014

July 09, 2014.

Motion was made by Dr. Mayo, seconded by Dr. Miles, and carried that the Board ratifies the actions/decisions of the Executive Committee with the exception of Dr. Bouldin. Dr. Easterling requested further discussion be addressed in Executive Session concerning Dr. Bouldin. Motion was made by Dr. Miles, seconded by Dr. Easterling and carried that the Board enter into Executive Session to discuss a matter that could possibly lead to disciplinary action.

Upon a motion by Dr. Crawford, seconded by Dr. Mayo, the Board came out of Executive Session at which time Dr. Crawford advised that no action or vote was taken but merely a discussion to provide points of clarification. Motion was made by Dr. Miles, seconded by Dr. Easterling and carried to approve the Executive Committee's decision concerning Dr. Bouldin.

REPORTS FROM COMMITTEES

Dr. Crawford advised that she is in the process of working on changes to the committees and will forward to all Board members once completed.

Scope of Practice - Dr. Brunson (Chair), Dr. Easterling, Dr. Chance, Dr. Miles,
Mr. Thomas

Dr. Brunson advised there was no new information to report.

Professionals Health Program - Dr. Chance (Chair), Dr. Crawford

Dr. Chance was absent but Dr. Crawford advised no new information to report.

Rules, Regulation & Legislative - Dr. Mayo (Chair), Dr. Easterling, Dr. Miles,
Mr. Breland

Dr. Mayo advised there was no new information to report.

Ethics - Dr. Crawford (Chair)

Dr. Crawford advised there was no new information to report.

Telemedicine / EHR - Dr. Brunson

Dr. Brunson advised there was no new information to report.

BOARD MINUTES

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July 10, 2014

Licensure Process - Dr. Brunson (Chair), Dr. Craig, Ms. Freeman

Dr. Brunson advised that he had submitted a report to Dr. Easterling and was waiting on a response. Dr. Crawford asked that a copy of the report be sent to all Board members for review.

HEARING IN THE CASE OF ANDREW MARTIN, M.D., CLARKSDALE, MISSISSIPPI MEDICAL LICENSE NUMBER 14355, REQUEST LIFTING OF RESTRICTIONS

Dr. Martin was present but was not represented by legal counsel. Mr. Ingram introduced Dr. Martin and advised he was here today to petition the lifting of restrictions on his medical license. Mr. Ingram advised that Dr. Martin is also an attorney but currently practices medicine.

Ms. O'Neal questioned Dr. Martin regarding legal representation and Dr. Martin stated that he wanted to waive his right to an attorney and proceed without legal counsel.

Mr. Ingram addressed the Board and provided a background of why Dr. Martin was here today before entering several exhibits into the record.

Dr. Martin was sworn in by the court reporter prior to addressing the Board to make his request and respond to questions from Board members. Dr. Martin advised that he had taken courses for inappropriate prescribing and boundary issues and briefly covered the classes. Dr. Martin asked that the Board lift all restrictions and advised that he would send the Board a letter advising that he had no intentions of applying for a DEA number since it was not needed in his job.

Dr. Scott Hambleton, Medical Director, Mississippi Professionals Health Program, was sworn in by the court reporter and advised that Dr. Martin has no direct patient contact and that he supports his request to lift all restrictions.

Motion was made by Dr. Miles, seconded by Dr. Easterling, and carried that the Board enter into Executive Session to discuss a matter that could result in an appealable order of the Board.

Upon a motion by Dr. Mayo, seconded by Dr. Miles, and carried unanimously the Board came out of Executive Session at which time Dr. Crawford asked Dr. Miles to report on the Board's decision. Dr. Miles advised that the Board had voted to lift restrictions on Dr. Martin's license and grant him an unrestricted license to practice medicine. A copy of the Order Lifting Restrictions is attached hereto and incorporated by reference.

BOARD MINUTES

Page 5

July 10, 2014

A verbatim account of this proceeding was recorded by Melissa Magee, Court Reporter.

HEARING IN THE CASE OF BRUCE DAVID SMITH, M.D., SPRING, TX, MISSISSIPPI MEDICAL LICENSE NUMBER 19596, SUMMONS AND AFFIDAVIT

Mr. Ingram addressed the Board and advised that neither Dr. Smith nor his attorney were present today. Mr. Ingram advised that Dr. Smith worked briefly at a diet clinic in McComb. Mr. Ingram advised that as Board counsel he was requesting an Order of Dismissal Without Prejudice be issued so that the Board could make some changes and issue a new Summons and Affidavit, if needed. A proposed Consent Order has been sent to Dr. Smith and he will be given a deadline of Friday, July 18, 2014, to sign or be issued a new Summons and Affidavit for a Board hearing in September.

Motion was made by Dr. Miles, seconded by Dr. Mayo, and carried to agree with Mr. Ingram's request concerning the Dismissal Without Prejudice, the new Summons and Affidavit, if required, and agreed with the deadline date of July 18, 2014, to sign the proposed Consent Order or be issued a new Summons and Affidavit to appear in September.

HEARING IN THE CASE OF ANTHONY VERNON DALLAS, JR., M.D., HENDERSONVILLE, TN, MISSISSIPPI MEDICAL LICENSE NUMBER 21620, SUMMONS AND AFFIDAVIT

Dr. Dallas nor his attorney were present at today's meeting. Mr. Ingram advised that they had requested a continuance in the matter.

Following a brief discussion, motion was made by Dr. Rea, seconded by Dr. Mayo, and carried to grant the request for a Continuance until the September 2014 Board meeting. A copy of the Continuance is attached hereto and incorporated by reference.

EXAMINING COMMITTEE'S FINAL REPORT FOR THE BOARD'S REVIEW AND APPROVAL

Dr. Craig briefly covered the report and advised that the anonymous physician met with the Examining Committee and they did not feel he had behavioral or impairment issues.

Motion was made by Dr. Mayo, seconded by Dr. Easterling, and carried that no further action was necessary by the Board.

BOARD MINUTES

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July 10, 2014

DISCUSS APPLICATION FOR FREE STANDING CLINIC FROM GOLDEN TRIANGLE PLANNING AND DEVELOPMENT DISTRICT (GTPDD)

Dr. Craig advised that this matter was actually addressed at the Executive Committee meeting on July 09, 2014, and that the protocols submitted were inadequate.

After a brief discussion, and an editorial comment that the Board is not denying the physician's application but that the protocols submitted by GTPDD were not adequate, motion was made by Dr. Mayo, seconded by Dr. Easterling, and carried that the Board advise GTPDD that the protocols are inadequate. Also, they are to be advised that a physician must sign the application even though the request can be made by an attorney.

FINAL ADOPT PART 2601 CHAPTER 7: MILITARY APPLICANTS EXPEDITED LICENSURE

Dr. Craig briefly discussed the regulation and advised that the Board had not received any comments.

Motion was made by Dr. Mayo, seconded by Dr. Miles, and carried of the Board's intent to final adopt the regulation concerning military applicants expedited licensure. A copy of the regulation is attached hereto and incorporated by reference. The regulation will be filed with the Secretary of State under the Administrative Procedures Act.

FINAL ADOPT AMENDMENT TO PART 2460 CHAPTER 1, RULE 1.15 E: RULE PERTAINING TO PRESCRIBING, ADMINISTERING AND DISPENSING MEDICATION

Following a brief discussion, motion was made by Dr. Easterling, seconded by Dr. Mayo, and carried of the Board's intent to final adopt the amended changes to the regulation as proposed. A copy of the regulation is attached hereto and incorporated by reference. The amended regulation will be filed with the Secretary of State under the Administrative Procedures Act.

FINAL ADOPT AMENDMENT TO PART 2610 CHAPTER 1, RULE 1.1: CHANGE OF ADDRESS

Motion was made by Dr. Mayo, seconded by Dr. Miles, and carried of the Board's intent to final adopt the amended changes to the regulation as proposed. A

BOARD MINUTES

Page 7

July 10, 2014

copy of the regulation is attached hereto and incorporated by reference. The amended regulation will be filed with the Secretary of State under the Administrative Procedures Act.

FINAL ADOPT AMENDMENT TO PART 2620 CHAPTER 1, RULE 1.7: THE PRACTICE OF RADIOLOGIST ASSISTANTS

Motion was made by Dr. Mayo, seconded by Dr. Miles, and carried of the Board's intent to final adopt the amended changes to the regulation as proposed. A copy of the regulation is attached hereto and incorporated by reference. The amended regulation will be filed with the Secretary of State under the Administrative Procedures Act.

FINAL ADOPT AMENDMENT TO PART 2615 CHAPTER 1, RULE 1.10: THE PRACTICE OF PHYSICIAN ASSISTANTS

Motion was made by Dr. Mayo, seconded by Dr. Easterling, and carried of the Board's intent to adopt the amended changes to the regulation as proposed. A copy of the regulation is attached hereto and incorporated by reference. The amended regulation will be filed with the Secretary of State under the Administrative Procedures Act.

FINAL ADOPT AMENDMENT TO PART 2625 CHAPTER 1, RULE 1.8: THE PRACTICE OF ACUPUNCTURE

Motion was made by Dr. Rea, seconded by Dr. Miles, and carried of the Board's intent to final adopt the amended changes to the regulation as proposed. A copy of the regulation is attached hereto and incorporated by reference. The amended regulation will be filed with the Secretary of State under the Administrative Procedures Act.

FOR YOUR INFORMATION, RECENT ARTICLE IN THE *NEW YORK TIMES* ABOUT THE INTERSTATE MEDICAL LICENSURE COMPACT

For information only, Dr. Craig discussed and provided an update on the Federation of State Medical Board's Medical Licensure Compact that currently is only a draft. Dr. Craig advised that if the compact is passed that it will be a legal agreement between states and will require legislation to be passed.

OTHER BUSINESS

BOARD MINUTES

Page 8

July 10, 2014

PHYSICIAN ORDERS FOR SUSTAINING TREATMENT (POST)

Blake Bell, attorney with Mississippi State Medical Association, addressed the Board and briefly discussed legislation passed this year for the Mississippi Physician Orders for Sustaining Treatment (POST). Mr. Bell distributed a copy of House Bill 1014 that was signed by the governor as well as a draft of the POST form. Mr. Bell advised that currently forty-three (43) other states are using something similar. Mr. Bell advised that they have been working with the Board and other agencies to adopt a form. Also, he advised that they will look for funding for a housekeeping bank during the next legislative session.

Following discussion, the Board advised that they would take the matter under advisement for approval at the September Board meeting. Mr. Bell advised that he will provide the Board with a final draft prior to the meeting.

UPDATE ON TELEDOC

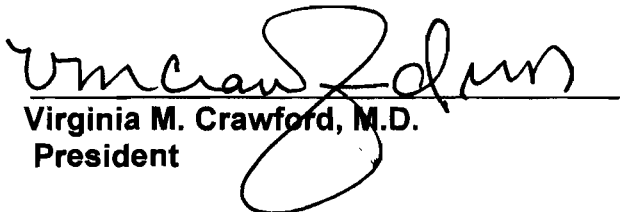
Dr. Craig briefly discussed a phone conversation with a corporation that has hired teledoc to perform certain health checks via audio. Following a brief discussion, the Board requested that Dr. Craig invite them to provide the Board with a brief presentation at the September Board meeting so they can discuss how they provide healthcare. Dr. Craig advised that from what he understood, what they are presenting is not consistent with the Board's current rules and regulations by having audio only.

BLAST EMAIL

The Board agreed to send a blast email to insure compliance by all licensees concerning the Board's rules and regulations regarding telemedicine and internet prescribing, specifically Part 2635, Chapter 5 and Chapter 7.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:30 a.m., with the next meeting scheduled for Thursday, September 4, 2014.


Virginia M. Crawford, M.D.
President





BOARD MINUTES

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July 10, 2014

Minutes taken and transcribed
by Sherry H. Pilgrim
Staff Officer
July 10, 2014



OATH OF OFFICE

I, John C. Clay, 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,
Mississippi State Board of Medical Licensure

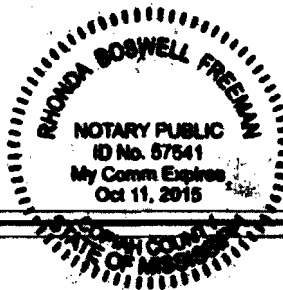
that I will faithfully discharge the duties of the office upon which I am about to enter. So help me God.

Subscribed and sworn to before me at

Jackson,
Mississippi, this tenth day
of July, 2014

John C. Clay, M.D.

By Rhonda Freeman



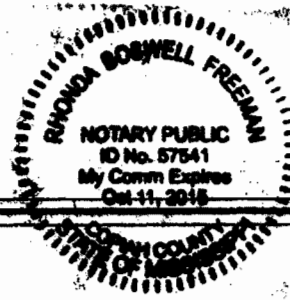
OATH OF OFFICE

I, Charles K. "Ken" Lippincott, 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,
Mississippi State 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 tenth day
of July, 20 14

By Rhonda Freeman

Charles K. Lippincott
D.F.M.



OATH OF OFFICE

I, Jeanne Ann Rea, 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,
Mississippi State 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 tenth day
of July, 2014

Jeanne Ann Rea, M.D.

By Rhonda Freeman



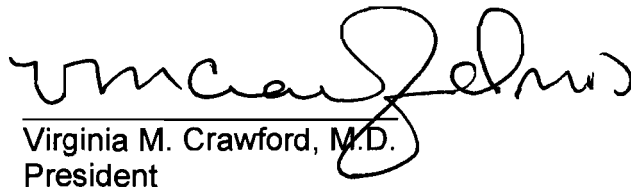
**EXECUTIVE SESSION
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
JULY 10, 2014**

AGENDA ITEM: Hearing in the case of Andrew Martin, M.D.

In a motion made by Dr. Mayo, seconded by Dr. Rea, and carried the Board voted to lift restrictions on Dr. Martin's license and give him an unrestricted license with the understanding that he will give this Board a letter stating that he will **not** apply for a DEA number.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Claude D. Brunson, M.D.	X			
Rickey L. Chance, D.O.				X
John C. Clay, M.D.	X			
Virginia M. Crawford, M.D.	X			
S. Randall Easterling, M.D.	X			
C. Ken Lippincott, M.D.	X			
William S. Mayo, D.O.	X			
Charles D. Miles, M.D.	X			
J. Ann Rea, M.D.	X			

With a motion by Dr. Mayo, seconded by Dr. Rea, the Board came out of Executive Session.


Virginia M. Crawford, M.D.
President

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
IN THE MATTER OF THE PHYSICIANS'S LICENSE
OF
ANDREW AYERS MARTIN, M.D.
ORDER REMOVING ALL RESTRICTIONS

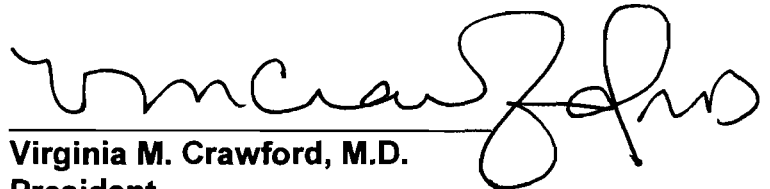
THIS MATTER came on regularly for consideration on July 10, 2014, before the Mississippi State Board of Medical Licensure, in response to the request of Andrew Ayers Martin, M.D., (hereinafter "Licensee"), seeking removal of all restrictions imposed on his Mississippi medical license by virtue of that certain Consent Order dated September 27, 2012. 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 Andrew Ayers Martin, M.D.

ORDERED, this the 10th day of July, 2014.

Mississippi State Board of Medical Licensure


Virginia M. Crawford, M.D.
President

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

OF

ANTHONY VERNON DALLAS, M.D.

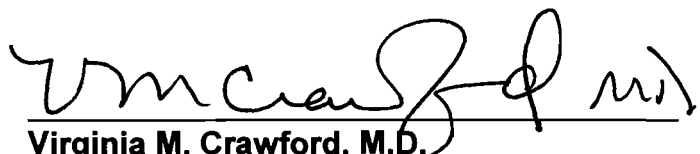
ORDER OF CONTINUANCE

THIS MATTER came on regularly for hearing on July 10, 2014, before the Mississippi State Board of Medical Licensure in response to a request for continuance of the hearing set for this date filed by Anthony Vernon Dallas, M.D. (hereinafter "Licensee") through his attorney, Joel Howell. After consideration of the matter, the Board finds Licensee's motion to be well taken.

IT IS, THEREFORE, ORDERED, that this matter is continued until September 04, 2014.

ORDERED, this the 10th day of July, 2014.

Mississippi State Board of Medical Licensure



Virginia M. Crawford, M.D.
President

Mississippi Secretary of State
 700 North Street P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Board of Medical Licensure		CONTACT PERSON Rhonda Freeman	TELEPHONE NUMBER (601) 987-3079	
ADDRESS 1867 Crane Ridge Drive, Suite 200-B		CITY Jackson	STATE MS	ZIP 39216
EMAIL rhonda@msbnl.ms.gov	SUBMIT DATE 7-10-14	Name or number of rule(s): Part 2601 Chapter 7: Expedited Licensure		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: Part 2601 Chapter 7: Expedited Licensure is being proposed due to 2013 Legislation which was passed directing the Board of Medical Licensure to issue expedited licensure to military applicants and their spouses.

Specific legal authority authorizing the promulgation of rule: 73-50-1

List all rules repealed, amended, or suspended by the proposed rule: N/A

ORAL PROCEEDING:

- An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____
- Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

ECONOMIC IMPACT STATEMENT:

- Economic impact statement not required for this rule. Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
<input type="checkbox"/> Original filing <input type="checkbox"/> Renewal of effectiveness To be in effect in _____ days Effective date: <input type="checkbox"/> Immediately upon filing <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 final effective date: <input type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): _____	Date Proposed Rule Filed: 5-22-2014 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 <input type="checkbox"/> Repeal adopted as proposed Effective date: <input checked="" type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): _____

Printed name and Title of person authorized to file rules: Rhonda Freeman, Bureau Director

Signature of person authorized to file rules: *Rhonda Freeman*

OFFICIAL FILING STAMP <div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP <div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by	OFFICIAL FILING STAMP <div style="border: 1px solid black; padding: 10px;"> <p style="font-size: 2em; font-weight: bold; letter-spacing: 5px;">FILED</p> <p>JUL 10 2014</p> <p>MISSISSIPPI</p> <p>SECRETARY OF STATE</p> </div> Accepted for filing by <i>[Signature]</i> # 20631
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The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Part 2601 Chapter 7: Expedited Licensure

Rule 7.1 Military Applicants.

- A. Pursuant to MS Code Ann. Section 73-50-1, the Board of Medical Licensure is authorized to issue an expedited license to a military-trained applicant to allow the applicant to lawfully practice medicine in Mississippi. In order to receive the expedited license, the following requirements must be satisfied:
1. Complete an application for medical license and submit it to the Board in the manner prescribed by the Board with a recent passport type photograph.
 2. Submit documentation that applicant has been awarded a military occupational specialty.
 3. Submit documentation of completion of a military program of training.
 4. Submit verification of a completed licensing examination as described in Rule 2.3.
 5. Have two references submit letters regarding applicant's performance in the practice of medicine.
 6. Submit verification that at least two of the past five years preceding the date of submission of the application applicant has engaged in the active practice of medicine.
 7. Submit certification that applicant has not committed any act in any jurisdiction that would have constituted grounds for refusal, suspension or revocation of a license to practice medicine in Mississippi at the time the act was committed.
 8. Appear for a personal interview in the office of the Board, successfully pass the Jurisprudence Examination as administered by the Board, and submit for a criminal background check.
 9. Submit licensure fee prescribed by the Board.
- B. Pursuant to MS Code Ann. Section 73-50-1, the Board of Medical Licensure is authorized to issue a license to a military spouse to allow the military spouse to lawfully practice medicine in Mississippi. In order to receive the expedited license, the following requirements must be satisfied:
1. Complete an application for medical license and submit it to the Board in the manner prescribed by the Board with a recent passport type photograph.
 2. Submit certification of a current license from another jurisdiction, in which that jurisdiction's requirements for licensure are substantially equivalent to or exceed the requirements for licensure of the Board.
 3. Submit verification that at least two of the past five years preceding the date of submission of the application applicant has engaged in the active practice of medicine.
 4. Submit certification that applicant has not committed any act in any jurisdiction that would have constituted grounds for refusal, suspension or revocation of a license to practice medicine in Mississippi at the time the act was committed.
 5. Submit verification that applicant is in good standing and has not been disciplined by the agency that had jurisdiction to issue the license.
 6. Submit licensure fee prescribed by the Board.

7. Appear for a personal interview in the office of the Board, successfully pass the Jurisprudence Examination as administered by the Board, and submit for a criminal background check.
- C. All relevant experience of a military service member in the discharge of official duties or, for a military spouse, all relevant experience, including full-time and part-time experience, regardless of whether in a paid or volunteer capacity, shall be credited in the calculation of years of practice in the practice of medicine as required under subsection A or B of this section.
- D. A nonresident licensed under this section shall be entitled to the same rights and subject to the same obligations as required of a resident licensed by the Board.
- E. The Board may issue a temporary practice permit to a military-trained applicant or military spouse licensed in another jurisdiction while the military-trained applicant or military spouse is satisfying the requirements for licensure under subsection A or B of this section if that jurisdiction has licensure standards substantially equivalent to the standards for licensure of the Board. The military-trained applicant or military spouse may practice under the temporary permit until a license is granted or until a notice to deny a license is issued in accordance with rules adopted by the Board.

Source: Miss. Code Ann. §73-25-19 (1972, as amended).

Adopted July 10, 2014.

Mississippi Secretary of State
 700 North Street P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Board of Medical Licensure		CONTACT PERSON Rhonda Freeman	TELEPHONE NUMBER (601) 987-3079	
ADDRESS 1867 Crane Ridge Drive, Suite 200-B		CITY Jackson	STATE MS	ZIP 39216
EMAIL rhonda@msbml.ms.gov	SUBMIT DATE 7-10-14	Name or number of rule(s): Part 2640 Chapter 1. Rules Pertaining to Prescribing, Administering and Dispensing of Medication		

Short explanation of rule/amendment/pepeal and reason(s) for proposing rule/amendment/pepeal: Part 2640 Chapter 1 Rule 1.15.E is being modified to change "and" to "or".

Specific legal authority authorizing the promulgation of rule: 73-43-11

List all rules repealed, amended, or suspended by the proposed rule: N/A

ORAL PROCEEDING:

- An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____
- Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/pepeal may be submitted to the filing agency.

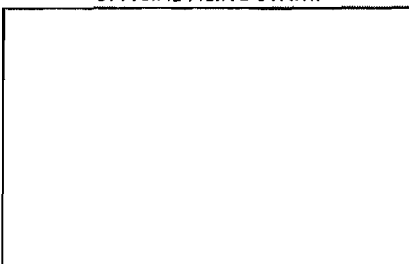
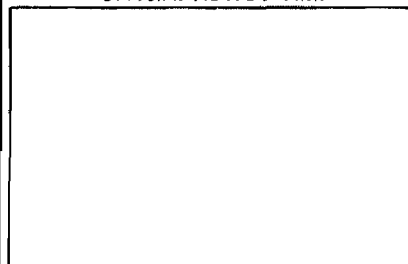
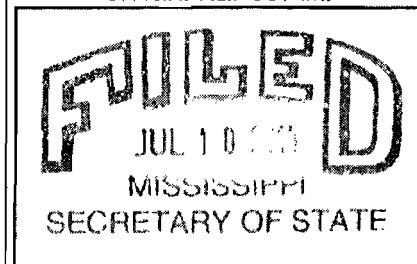
ECONOMIC IMPACT STATEMENT:

- Economic impact statement not required for this rule. Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
_____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	Action proposed: _____ New rule(s) _____ Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference Proposed final effective date: _____ 30 days after filing _____ Other (specify): _____	Date Proposed Rule Filed: <u>5-22-2014</u> Action taken: <input checked="" type="checkbox"/> Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed Effective date: <input checked="" type="checkbox"/> 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: Rhonda Freeman, Bureau Director

Signature of person authorized to file rules: *Rhonda Freeman*

OFFICIAL FILING STAMP  Accepted for filing by	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP  Accepted for filing by	OFFICIAL FILING STAMP  Accepted for filing by #20632 <i>[Signature]</i>
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The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Title 30: Professions and Occupations

Part 2640: Prescribing, Administering and Dispensing

Part 2640 Chapter 1: Rules Pertaining to Prescribing, Administering and Dispensing of Medication

Rule 1.15 Pain Management Medical Practice.

- A. Definitions. For the purpose of Part 2640, Rule 1.15 only, the following terms have the meanings indicated:
1. “Board” means the Mississippi State Board of Medical Licensure.
 2. “Physician” means any person licensed to practice medicine or osteopathic medicine in the state of Mississippi as required by Part 2601, Chapter 02.
 3. “Physician Assistant” means any person meeting the requirements of licensure in the state of Mississippi as required by Part 2617, Chapter 1.
 4. “Prescriptive Authority” means the legal authority of a professional licensed to practice in the state of Mississippi who prescribes controlled substances and is registered with the U. S. Drug Enforcement Administration in compliance with Title 21 CFR, Part 1301 Food and Drugs.
 5. “Pain Management Medical Practice” is defined as a public or privately owned medical practice that provides pain management services to patients, a majority (more than 50%) of which are issued a prescription for, or are dispensed, opioids, barbiturates, benzodiazepines, carisoprodol, butalbital compounds, or tramadol for more than one hundred eighty days (180) days in a twelve month period. Excluded from this definition are all licensed hospitals, state health department facilities, federally qualified community health clinics, volunteer clinics, hospice services, outpatient surgical clinics or physician/clinic practice(s) at which the majority of the patients are treated for pain as a result of a terminal illness.
- B. The physician owner(s)/operator(s) of the pain management medical practice must possess and maintain a majority ownership (more than 50%) of the pain management medical practice and shall register the practice with the Board. No physician may practice in a pain management medical practice unless that practice is majority owned (over 50 %) by a physician or physicians, unless exempted under A.5 above. A hospital or hospital-system owned pain management practice is exempt from the majority ownership requirement. A physician or medical director who owns, operates or is employed in any pain management medical practice must meet the requirements set forth below.
- C. Application for Initial Registration and Renewal. A physician owner(s)/operator(s) of the pain practice must:
1. submit the documents required by the application process for proof of ownership or provide alternative documents with a written request for special consideration;
 2. report ownership or investment interest of any other pain management facility operating within the state of Mississippi and provide the name and address of the other pain management facility(ies) in which there is an ownership or vested interest;

3. identify all individuals with prescriptive authority who are employed or contracted in any capacity and will be prescribing or dispensing controlled substances to patients of the facility; and
 4. report any changes of information provided in the application for registration or renewal within 30 days.
- D. Physician owner(s)/operator(s) may not operate a pain management practice in the state of Mississippi without obtaining a certificate from the Mississippi State Board of Medical Licensure. Certificates, once issued, are not transferable or assignable. Only the primary physician owner is required to register with the Board if there is more than one physician owner of the practice. Each practice requires a separate certificate.
- E. Physician owner(s)/operator(s) or employees may not operate in Mississippi unless the practice is owned or operated by a hospital or by a medical director who:
1. is a physician who practices full time in Mississippi; (Full time is defined as at least 20 hours per week of direct patient care.)
 2. holds an active unrestricted medical license that is not designated as limited, retired, temporary, or in-training; and
 3. holds a certificate of registration for that pain management practice.
- F. In addition, the physician owner(s)/operator(s) of a pain management practice, a physician or physician assistant employee of the practice or a physician or physician assistant with whom the physician owner(s)/operator(s) of a practice contracts for services may not:
1. have been denied, by any jurisdiction, a certificate issued by the Drug Enforcement Administration (DEA) under which the person may prescribe, dispense, administer, supply or sell a controlled substance or the other listed medications under definitions;
 2. have held a certificate issued by the Drug Enforcement Administration under which the person may prescribe, dispense, administer, or supply, or sell a controlled substance that has been restricted;
 3. have been subject to a disciplinary action by any licensing entity for conduct that was a result of inappropriately prescribing, dispensing, administering, supplying or selling a controlled substance; or
 4. have been terminated from Mississippi's Medicaid Program, the Medicaid program of any other state, or the federal Medicare program, unless eligibility has been restored.
- G. No physician or physician assistant may practice in a pain management medical practice who has been convicted of, pled nolo contendere to or received deferred adjudication for:
1. an offense that constitutes a felony; or
 2. an offense that constitutes a misdemeanor, the facts of which relates to the illegal distribution or sale of drugs or controlled substances.
- H. Training Requirements for All Physicians Practicing in Pain Management Medical Practices. Effective July 1, 2014, physicians who have not met the qualifications set forth in subsections (1) through (5) below, shall have successfully completed a pain residency fellowship or a pain medicine residency that is accredited by the Accreditation Council for Graduate Medical Education (ACGME) or the American Osteopathic Association (AOA). All physicians prescribing or dispensing controlled substance medications in pain management practices registered by the Board must meet one (1) of the following qualifications:

1. board certification by a specialty board recognized by the American Board of Medical Specialties (ABMS) or the American Board of Addiction Medicine (ABAM) and hold a subspecialty certification in pain medicine;
2. board certification by a specialty board recognized by the American Osteopathic Association Bureau of Osteopathic Specialists in pain management;
3. board certification in pain medicine by the American Board of Pain Medicine (ABPM);
4. successful completion of a residency program in physical medicine and rehabilitation, anesthesiology, neurology, or neurosurgery and approved by the ACGME or the AOA; or
5. successful completion of 100 hours of in-person, live participatory AMA or AOA Category I CME courses in pain management.

Upon qualifying under any of the 5 subsections above, physicians must also document completion of 15 hours of live lecture format, Category I CME in pain management for every year the physician is practicing pain management.

1. Physicians and physician assistants practicing in a registered pain practice must be registered with the Mississippi Prescription Monitoring Program (MPMP). A report shall be obtained on the initial visit and at intervals deemed appropriate for good patient care from the MPMP for every patient receiving controlled substances in a registered pain management practice.
- J. Requirements for Physician Assistants Practicing in Pain Management Medical Practices. Physician assistants must meet the following qualifications prior to practicing in a registered pain management practice:
 1. A Board approved protocol in the practice of pain management as required by Part 2615, Chapter 1, Rules 5 and 6, that is not designated as limited, restricted, retired, temporary, or in-training;
 2. Physician assistants with approved prescriptive authority must obtain 15 hours of Category I CME related to prescribing and pain management for every year the physician assistant is practicing in a Board registered pain practice;
 3. Physician assistants with prescriptive authority must be familiar with and adhere to the Administrative Rule Pertaining to Prescribing, Administering and Dispensing of Medication, Part 2640, Chapter 1; and
 4. Physician assistants with prescriptive authority must be registered with the Mississippi Prescription Monitoring Program (MPMP).
- K. A physician who is a current participant in the Mississippi Professionals Health Program (MPHP) may not be the primary physician owner of a pain practice. Notwithstanding, this does not prohibit a MPHP participant from working in a pain practice.
- L. Certificates are valid for one year and must be renewed annually along with the practitioner's license to practice medicine in the state of Mississippi. There is a thirty-day grace period for renewal after which the owner(s)/operator(s) must reapply for an original certificate. The physician owner(s)/operator(s) of the practice shall post the certificate in a conspicuous location so as to be clearly visible to patients. The practice may not continue to operate while the certificate has expired.
- M. The Board shall have the authority to inspect a pain management practice. During such inspections, authorized representatives of the Board, who may be accompanied by agents

of the Mississippi Bureau of Narcotics, may inspect all necessary documents and medical records to ensure compliance with all applicable laws and rules.

- N. If the Board finds that a registered pain management practice no longer meets any of the requirements to operate as a pain practice, the Board may immediately revoke or suspend the physician's certificate to operate a pain management practice. The physician owner(s)/operator(s) shall have the right to an administrative hearing before the Board at the next available and scheduled meeting of the Board. Further, the Board has the discretion to lift the suspension of a certificate when the practice demonstrates compliance with the Board's rules and regulations.

Source: *Miss. Code Ann. §73-43-11 (1972, as amended)*.

Amended July 10, 2014.

Mississippi Secretary of State
 700 North Street P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Board of Medical Licensure		CONTACT PERSON Rhonda Freeman	TELEPHONE NUMBER (601) 987-0223	
ADDRESS 1867 Crane Ridge Drive, Suite 200-B		CITY Jackson	STATE MS	ZIP 39216
EMAIL rhonda@msbml.ms.gov	SUBMIT DATE 7-10-2014	Name or number of rule(s): Part 2610 Chapter 1: Change of Address		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: Rule 1.1 was modified to include mailing address. Language was added that will require licensees to use direct contact information.

Specific legal authority authorizing the promulgation of rule: 73-43-14

List all rules repealed, amended, or suspended by the proposed rule: N/A

ORAL PROCEEDING:

- An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____
- Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

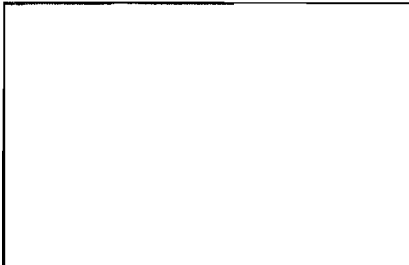
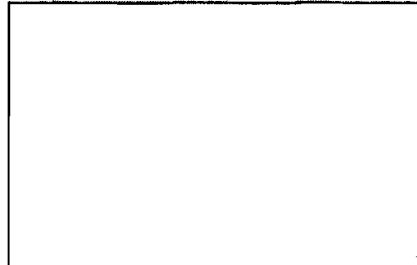
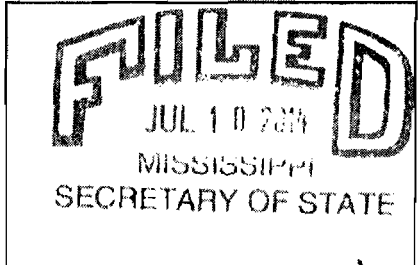
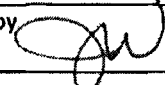
ECONOMIC IMPACT STATEMENT:

- Economic impact statement not required for this rule. Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
_____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	Action proposed: _____ New rule(s) _____ Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference Proposed final effective date: _____ 30 days after filing _____ Other (specify): _____	Date Proposed Rule Filed: <u>5-22-2014</u> Action taken: <input checked="" type="checkbox"/> Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed Effective date: <input checked="" type="checkbox"/> 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: Rhonda Freeman, Bureau Director

Signature of person authorized to file rules: 

OFFICIAL FILING STAMP 	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP 	OFFICIAL FILING STAMP 
Accepted for filing by _____	Accepted for filing by _____	Accepted for filing by  #20628

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Part 2610 Chapter 1: Change of Address

Rule 1.1 Change of Address. Any physician who is licensed to practice medicine in this state and changes his or her practice location or mailing address shall immediately notify the Board in writing of the change. Failure to notify within thirty (30) days could result in disciplinary action.

The Board routinely sends information to licensed physicians. Whether it be by U.S. Mail or electronically, it is important that this information is received by the licensee. The licensure record of the licensee should include a physical practice location, mailing address, email address and telephone number where the Board can correspond with the licensee directly. The Board discourages the use of office personnel's mailing and email addresses as well as telephone numbers. Failure to provide the Board with direct contact information could result in disciplinary action.

Source: *Miss. Code Ann. §73-25-14 (1972, as amended).*

Amended May 17, 2007. Amended July 10, 2014.

Mississippi Secretary of State
 700 North Street P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Board of Medical Licensure		CONTACT PERSON Rhonda Freeman	TELEPHONE NUMBER (601) 987-0223	
ADDRESS 1867 Crane Ridge Drive, Suite 200-B		CITY Jackson	STATE MS	ZIP 39216
EMAIL rhonda@msbml.ms.gov	SUBMIT DATE 7-10-14	Name or number of rule(s): Part 2620 Chapter 1: The Practice of Radiologist Assistants		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: Rule 1.7 was modified to include mailing address. Language was added that will require licensees to use direct contact information.

Specific legal authority authorizing the promulgation of rule: 41-58-7

List all rules repealed, amended, or suspended by the proposed rule: N/A

ORAL PROCEEDING:

- An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____
- Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

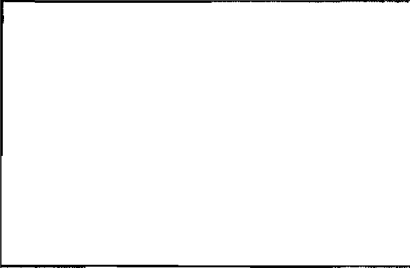
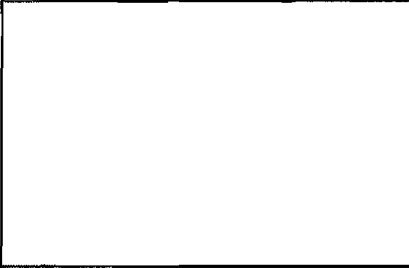
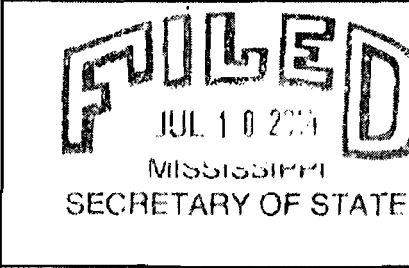
ECONOMIC IMPACT STATEMENT:

- Economic impact statement not required for this rule. Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
_____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	Action proposed: _____ New rule(s) _____ Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference Proposed final effective date: _____ 30 days after filing _____ Other (specify): _____	Date Proposed Rule Filed: 5-22-2014 Action taken: <input checked="" type="checkbox"/> Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed Effective date: <input checked="" type="checkbox"/> 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: Rhonda Freeman, Bureau Director

Signature of person authorized to file rules: *Rhonda Freeman*

OFFICIAL FILING STAMP 	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP 	OFFICIAL FILING STAMP 
Accepted for filing by	Accepted for filing by	Accepted for filing by # 20630 <i>[Signature]</i>

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Part 2620 Chapter 1: The Practice of Radiologist Assistants

Rule 1.7 Duty to Notify Board of Change of Address. Any radiologist assistant who is licensed or receives a license to practice as a radiologist assistant in this state and thereafter changes his or her practice location or mailing address from what was noted in the application upon which he or she received a license, shall immediately notify the Board in writing of the change. Failure to notify within 30 days could result in disciplinary action.

The Board routinely sends information to licensed radiologist assistants. Whether it be by U.S. Mail or electronically, it is important that this information is received by the licensee. The licensure record of the licensee should include a physical practice location, mailing address, email address and telephone number where the Board can correspond with the licensee directly. The Board discourages the use of office personnel's mailing and email addresses as well as telephone numbers. Failure to provide the Board with direct contact information could result in disciplinary action.

Source: *Miss. Code Ann. §41-58-7 (1972, as amended)*.

Amended July 10, 2014.

Mississippi Secretary of State
 700 North Street P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Board of Medical Licensure		CONTACT PERSON Rhonda Freeman	TELEPHONE NUMBER (601) 987-0223	
ADDRESS 1867 Crane Ridge Drive, Suite 200-B		CITY Jackson	STATE MS	ZIP 39216
EMAIL rhonda@msbml.ms.gov	SUBMIT DATE 7-10-14	Name or number of rule(s): Part 2615 Chapter 1: The Practice of Physician Assistants		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: Rule 1.10 was modified to include mailing address. Language was added that will require licensees to use direct contact information.

Specific legal authority authorizing the promulgation of rule: 73-26-5

List all rules repealed, amended, or suspended by the proposed rule: N/A

ORAL PROCEEDING:

- An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____
- Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

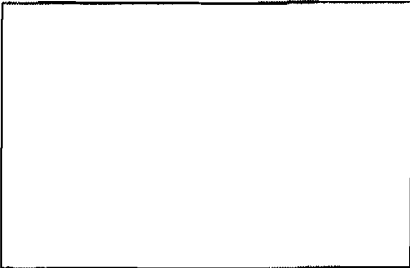
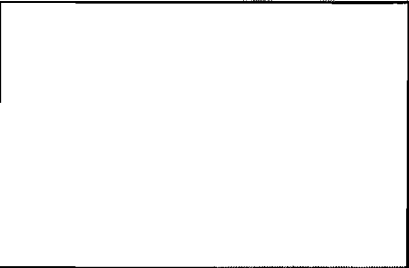
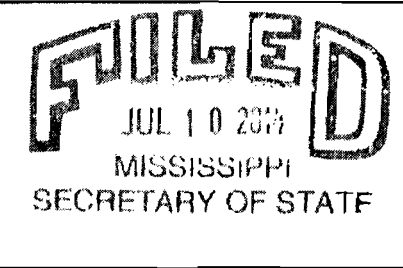
ECONOMIC IMPACT STATEMENT:

- Economic impact statement not required for this rule. Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
_____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	Action proposed: _____ New rule(s) _____ Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference Proposed final effective date: _____ 30 days after filing _____ Other (specify): _____	Date Proposed Rule Filed: <u>5-22-2014</u> Action taken: <input checked="" type="checkbox"/> Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed Effective date: <input checked="" type="checkbox"/> 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: Rhonda Freeman, Bureau Director

Signature of person authorized to file rules: *Rhonda Freeman*

OFFICIAL FILING STAMP 	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP 	OFFICIAL FILING STAMP 
Accepted for filing by	Accepted for filing by	Accepted for filing by <i>[Signature]</i> # 20629

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Part 2615 Chapter 1: The Practice of Physician Assistants

Rule 1.10 Duty to Notify Board of Change of Address. Any physician assistant who is licensed to practice as a physician assistant in this state and changes his or her practice location or mailing address, shall immediately notify the Board in writing of the change. Failure to notify within 30 days could result in disciplinary action.

The Board routinely sends information to licensed physician assistants. Whether it be by U.S. Mail or electronically, it is important that this information is received by the licensee. The licensure record of the licensee should include a physical practice location, mailing address, email address and telephone number where the Board can correspond with the licensee directly. The Board discourages the use of office personnel's mailing and email addresses as well as telephone numbers. Failure to provide the Board with direct contact information could result in disciplinary action.

Source: *Miss. Code Ann. §73-26-5 (1972, as amended)*.

Amended July 10, 2014.

Mississippi Secretary of State
 700 North Street P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Board of Medical Licensure		CONTACT PERSON Rhonda Freeman	TELEPHONE NUMBER (601) 987-0223	
ADDRESS 1867 Crane Ridge Drive, Suite 200-B		CITY Jackson	STATE MS	ZIP 39216
EMAIL rhonda@msbml.ms.gov	SUBMIT DATE 7-10-14	Name or number of rule(s): Part 2625 Chapter 1: The Practice of Acupuncture		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: Rule 1.8 was modified to include mailing address. Language was added that will require licensees to use direct contact information.

Specific legal authority authorizing the promulgation of rule: 73-71-13

List all rules repealed, amended, or suspended by the proposed rule: N/A

ORAL PROCEEDING:

An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____

Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

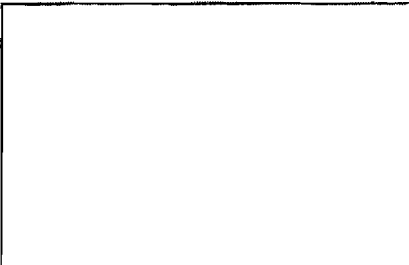
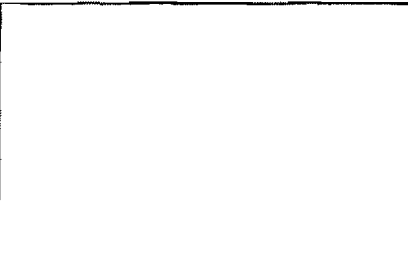
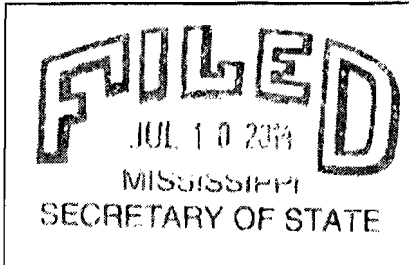
ECONOMIC IMPACT STATEMENT:

Economic impact statement not required for this rule. Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
_____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	Action proposed: _____ New rule(s) _____ Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference Proposed final effective date: _____ 30 days after filing _____ Other (specify): _____	Date Proposed Rule Filed: 5-22-2014 Action taken: <input checked="" type="checkbox"/> Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed Effective date: <input checked="" type="checkbox"/> 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: Rhonda Freeman, Bureau Director

Signature of person authorized to file rules: *Rhonda Freeman*

OFFICIAL FILING STAMP  Accepted for filing by	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP  Accepted for filing by	OFFICIAL FILING STAMP  Accepted for filing by # 20627 <i>JW</i>
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The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Part 2625: Chapter 1 The Practice of Acupuncture

Rule 1.8 Duty to Notify Board of Change of Address. Any acupuncturist who is licensed to practice as an acupuncturist in this state and changes their practice location or mailing address shall immediately notify the Board in writing of the change. Failure to notify within 30 days could result in disciplinary action.

The Board routinely sends information to licensed acupuncturists. Whether it be by U.S. Mail or electronically, it is important that this information is received by the licensee. The licensure record of the licensee should include a physical practice location, mailing address, email address and telephone number where the Board can correspond with the licensee directly. The Board discourages the use of office personnel's mailing and email addresses as well as telephone numbers. Failure to provide the Board with direct contact information could result in disciplinary action.

Source: *Miss. Code Ann. §73-71-13 (1972, as amended).*

Amended July 10, 2014.

Sherry Pilgrim

From: Vann Craig
Sent: Monday, August 04, 2014 9:16 AM
To: Sherry Pilgrim
Subject: FW: Telemedicine

This is the e=mail we sent all licensees
HVC

From: THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
Sent: Monday, July 28, 2014 2:44 PM
To: THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
Subject: Telemedicine

Dear Doctor,

It has come to the attention of the Board that multiple companies are recruiting physicians for the practice of telemedicine. Before you embark on such an activity, you should review the Board's Rules and Regulations, specifically, Part 2635, Chapter 5 and Chapter 7.

Mississippi State Board of Medical Licensure
1867 Crane Ridge Drive Suite 200-B
Jackson, MS 39216
Main: 601-987-3079
Fax: 601-987-4159
www.msbml.ms.gov

SEPTEMBER 2014

**MINUTES
EXECUTIVE COMMITTEE MEETING
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
SEPTEMBER 03, 2014**

MEMBERS PRESENT:

Virginia M. Crawford, M.D., Hattiesburg, President
William S. Mayo, D.O., Oxford, Vice President
Charles D. Miles, M.D., West Point, Secretary

ALSO PRESENT:

H. Vann Craig, M.D., Director
Stan T. Ingram, Complaint Counsel for the Board
Ellen O'Neal, Assistant Attorney General
Rhonda Freeman, Bureau Director, Licensure Division
Thomas Washington, Bureau Director, Investigative Division
Leslie Ross, Investigations Supervisor
Frances Carrillo, Special Projects Officer, Investigative Division
Mickey Boyette, Investigator, Investigative Division
Jonathan Dalton, Investigator, Investigative Division
Sherry H. Pilgrim, Staff Officer

The Executive Committee of the Mississippi State Board of Medical Licensure met on Wednesday, September 03, 2014, at 1:00 p.m. in the Board Room of the Office of the Board located at 1867 Crane Ridge Drive, Jackson, Mississippi.

**PERSONAL APPEARANCE BY JOHN MICHAEL SPECA, M.D., MUNFORD, TN,
APPLICANT**

Dr. Craig advised that Dr. Specca is an applicant from Tennessee. Dr. Craig advised that he had invited him to appear before the Executive Committee to discuss several malpractice cases, especially the ones involving knee replacements.

Dr. Specca joined the meeting and was not represented by legal counsel. Dr. Craig introduced Dr. Specca to the Executive Committee and advised the reason why he had been invited to appear before the Executive Committee. Dr. Specca had executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

Dr. Specca addressed the Executive Committee and discussed each of the malpractice cases. Dr. Specca advised that he has learned from the experience and advised that he was coming to the University Medical Center and will do general

EXECUTIVE COMMITTEE MINUTES

Page 2

September 03, 2014

orthopedics.

Following several questions from the Executive Committee, motion was made by Dr. Mayo and seconded by Dr. Miles that the Executive Committee enter into Executive Session to discuss a matter which could possibly lead to adverse action.

Following a motion by Dr. Crawford and seconded by Dr. Mayo, the Executive Committee came out of Executive Session at which time Dr. Crawford asked Dr. Miles to report on their decision. Dr. Miles advised that the Executive Committee voted to grant Dr. Speca a Mississippi medical license and that he will be issued a non-public Letter of Concern requiring him to send Dr. Craig copies of his operative reports on a monthly basis for the next six (6) months.

Dr. Crawford thanked Dr. Speca for appearing and advised that the Executive Committee will make their recommendation to the Full Board on Thursday and provide him a letter with their decision.

PERSONAL APPEARANCE BY JAMES S. RAWSON, M.D., COLUMBUS, MISSISSIPPI MEDICAL LICENSE NUMBER 09178

Dr. Craig advised that Dr. Rawson requested to appear before the Executive Committee because their application had been denied for a free standing clinic in Starkville.

Dr. Rawson joined the meeting and was not represented by legal counsel. Dr. Craig introduced Dr. Rawson to the Executive Committee and advised the reason why he had requested to appear before the Executive Committee. Dr. Rawson had executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

Dr. Rawson advised that he is part of a multi-physician GI group who practices in Columbus and had requested approval for a free standing clinic in Starkville that had been denied. Dr. Rawson advised that each physician in the group has hospital privileges in both the Columbus and Starkville hospitals and that at least one member of the group would be present at each location with the possible exception of Friday when an APRN could be alone. Dr. Rawson advised that the APRNs only see followup patients, no new patients and only practice in their office as the physicians handle all hospital calls. Also, he advised that none of the APRNs prescribe controlled substances.

Following several questions from the Executive Committee, motion was made by Dr. Mayo, seconded by Dr. Miles, and carried to recommend that the Full Board

EXECUTIVE COMMITTEE MINUTES

Page 3

September 03, 2014

approve Dr. Rawson's request for a free standing clinic in Starkville.

Dr. Crawford thanked Dr. Rawson for appearing and advised that the Executive Committee will make their recommendation to the Full Board on Thursday and provide him a letter with their decision.

PERSONAL APPEARANCE BY TARENCE E. WADE, M.D., OLIVE BRANCH, MISSISSIPPI MEDICAL LICENSE NUMBER 14435

Dr. Craig advised that Dr. Wade was invited to the Executive Committee to discuss his collaborative practice with APRNs in free standing clinics in Calhoun City, Winona, and Grenada. Dr. Craig advised that none of the free standing clinics had been approved by the Board and that he has issues with Dr. Wade not notifying the Board of status changes.

Dr. Wade joined the meeting and was represented by his attorney, Mike Heilman. Dr. Craig introduced Dr. Wade and his attorney to the Executive Committee and advised the reason why he had requested him to appear before the Executive Committee. Dr. Wade had executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference

Following several questions from the Executive Committee, Dr. Wade distributed documentation advising federal status for the clinics. Dr. Wade advised that he is the acting clinical director at Batesville and works with Hospital Physician Partners. Dr. Wade advised that no controlled substances are prescribed in any of the clinics. Dr. Craig reminded Dr. Wade of his responsibility to make sure that all information concerning the three (3) clinics is supplied to the Board accurately and timely, including documentation of their federal qualification status of which the Board was not aware.

Motion was made by Dr. Miles and seconded by Dr. Mayo that the Executive Committee enter into Executive Session to discuss a matter which could possibly lead to adverse action.

Following a motion by Dr. Crawford and seconded by Dr. Mayo, the Executive Committee came out of Executive Session at which time Dr. Crawford asked Dr. Miles to report on their decision. Dr. Miles advised that the Executive Committee approves the collaborative relationships because of the federal qualified health clinic status.

Dr. Crawford thanked Dr. Wade for appearing and advised that the Executive Committee will make their recommendation to the Full Board on Thursday and provide him a letter with their decision.

EXECUTIVE COMMITTEE MINUTES

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September 03, 2014

PERSONAL APPEARANCE BY SCOTT E. NELSON, M.D., CLEVELAND, MISSISSIPPI MEDICAL LICENSE NUMBER 12527

Dr. Craig advised that he had invited Dr. Nelson to appear before the Executive Committee to discuss his collaborative relationships with APRNs and why he is not updating the Board with changes relative to these relationships.

Dr. Nelson joined the meeting and was not represented by legal counsel. Dr. Craig introduced Dr. Nelson to the Executive Committee and requested that Dr. Nelson discuss why he is not notifying the Board of APRNs he works with in hospice, at the casinos, and to explain the Mississippi Visiting Physicians. Dr. Nelson had executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

Dr. Nelson advised that currently he does not collaborate with any PAs, but has three (3) APRNs that work in casino wellness clinics that only sees employees and their family members, and one (1) APRN that works in hospice. Dr. Nelson advised that Mississippi Visiting Physicians went defunct in October 2013. Dr. Nelson advised he does chart reviews, however, he has been allowing the APRNs to pull the charts.

Following several questions from the Executive Committee, motion was made by Dr. Mayo and seconded by Dr. Miles that the Executive Committee enter into Executive Session to discuss possible investigations into violations of the law.

Following a motion by Dr. Crawford and seconded by Dr. Mayo, the Executive Committee came out of Executive Session at which time Dr. Crawford asked Dr. Miles to report on their decision. Dr. Miles advised that the Executive Committee agreed that Dr. Nelson should supply the Board with a letter listing all primary collaborative relationships including license numbers and practice locations, as well as all secondary collaborative relationships and the primary collaborative physicians. Any changes in any of the above needs to be reported to the Board within 30 days. Also, Dr. Nelson should choose the charts to be reviewed during the monthly and quarterly meetings.

Dr. Crawford thanked Dr. Nelson for appearing and advised that the Executive Committee will make their recommendation to the Full Board on Thursday and provide him a letter with their decision.

THE EXECUTIVE COMMITTEE RECESSED AT 2:10 P.M. AND RETURNED AT 2:15 P.M.

EXECUTIVE COMMITTEE MINUTES

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September 03, 2014

PERSONAL APPEARANCE BY PATRICIA ANN PAYNE, M.D., GREENVILLE, MISSISSIPPI MEDICAL LICENSE NUMBER 06452

Dr. Craig advised that Dr. Payne has been invited to appear before the Executive Committee to discuss her collaborative relationships with APRNs, prescribing of controlled substances/documentation, record keeping of patient files, and issues regarding her CME.

Dr. Payne joined the meeting and was represented by her attorney, J. L. Wilson. Dr. Craig introduced Dr. Payne and her attorney to the Executive Committee and advised the reasons why he had requested her to appear. Dr. Payne had executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

Dr. Payne discussed a PMP report that Dr. Craig had available and admitted that people have been taking advantage of her. She advised that she had found out that some of the cough meds was being sold on the street. Dr. Payne advised that she did not bring the last two (2) years of CME as had been requested and admitted that she didn't have the required CME hours.

STAN INGRAM ARRIVED TO THE MEETING AT 2:30 P.M.

Following several questions from the Executive Committee, motion was made by Dr. Mayo and seconded by Dr. Miles that the Executive Committee enter into Executive Session to discuss an investigation into possible violations of the law.

Following a motion by Dr. Crawford and seconded by Dr. Mayo, the Executive Committee came out of Executive Session at which time Dr. Crawford asked Dr. Miles to report on their decision. Dr. Miles advised the Executive Committee will refer this matter to the Full Board for further consideration.

Mr. Ingram asked Mr. Wilson if he had objections to the Full Board considering the matter and he stated not as long as Dr. Payne has the right to be heard if it results in any action taken.

Dr. Crawford thanked Dr. Payne for appearing and advised that the Executive Committee will refer the matter to the Full Board on Thursday and then advise them.

EXECUTIVE COMMITTEE MINUTES

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PERSONAL APPEARANCE BY MICHAEL H. ALBERT, M.D., PEARL, MISSISSIPPI MEDICAL LICENSE NUMBER 10754 AND WILLIAM F. KROOSS, II, M.D., JACKSON, MISSISSIPPI MEDICAL LICENSE NUMBER 08839

Dr. Craig advised that these physicians jointly work with APRNs as the primary and secondary and he has concerns with the distance between the Pelahatchie clinic and the Pearl clinic.

Dr. Albert and Dr. Krooss joined the meeting and were represented by their attorney, Elizabeth Hooper. Dr. Craig introduced Dr. Albert, Dr. Krooss and their attorney to the Executive Committee and advised the reasons why he had requested them to appear. Dr. Albert and Dr. Krooss had both executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

After questions concerning how the distance between Pelahatchie and Pearl was figured, Dr. Craig questioned why they would use the APRNs home address instead of their work location. Both physicians covered how the APRNs work and how they collaborate. Both physicians advised that they have monthly face-to-face chart reviews. After further discussion, the Executive Committee advised that they would need to apply for free standing clinic status in Pelahatchie due to the mileage distance.

Motion was made by Dr. Mayo and seconded by Dr. Miles that the Executive Committee enter into Executive Session to discuss an investigation into possible violations of the law.

Following a motion by Dr. Crawford and seconded by Dr. Mayo, the Executive Committee came out of Executive Session at which time Dr. Crawford asked Dr. Miles to report on their decision. Dr. Miles advised that the physician who is to be the primary collaborative physician in the free standing clinic in Pelahatchie needs to apply for and get approval for a free standing clinic and to make sure that the Board is always updated with any primary/secondary changes.

Dr. Crawford thanked Dr. Albert and Dr. Krooss for appearing and advised that the Executive Committee will make their recommendation to the Full Board on Thursday and then advise them.

PERSONAL APPEARANCE BY GREGORY A. GORDON, M.D., BRANDON, MISSISSIPPI MEDICAL LICENSE NUMBER 16391

Dr. Craig advised that Dr. Gordon has been invited to appear before the Executive Committee to discuss his collaborative practice with APRNs at the Choctaw Behavioral Health on the reservation.

EXECUTIVE COMMITTEE MINUTES

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September 03, 2014

Dr. Gordon joined the meeting and was not represented by legal counsel. Dr. Craig introduced Dr. Gordon to the Executive Committee and advised the reason why he had been invited to appear before the Executive Committee. Dr. Gordon had executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

Dr. Gordon addressed the Executive Committee and had brought copies of protocols for the APRNs. Dr. Gordon advised that he is board certified in internal medicine and psychiatry. For the past 14 years, Dr. Gordon has worked with the Choctaw clinic in Philadelphia but due to his duties at UMMC he needs to reduce his time in Philadelphia. Dr. Gordon advised he was requesting to be allowed to collaborate with the APRN even though the distance is 72 miles. Dr. Gordon advised the hospital is open 24/7 and always transfers acute patients. Dr. Gordon advised that this is a Federal facility but wanted to make sure the Board will approve his request.

Following a brief discussion, motion was made by Dr. Mayo and seconded by Dr. Crawford, to approve the collaboration with the APRN in Philadelphia as a free standing clinic since this is a federal facility, and the way Dr. Gordon has worked with the APRN in the past.

Dr. Crawford thanked Dr. Gordon for appearing and advised that the Executive Committee will make their recommendation to the Full Board on Thursday and then advise him.

PERSONAL APPEARANCE BY IKECHUKWU H. OKORIE, M.D., HATTIESBURG, MISSISSIPPI MEDICAL LICENSE NUMBER 19875

Dr. Craig advised that Dr. Okorie has applied for a pain management certificate and that he has finally completed the 100 face-to-face hours required. Dr. Craig advised that a recent PMP profile causes need to discuss his prescribing.

Dr. Okorie joined the meeting and was represented by his attorney, Julie Mitchell. Dr. Craig introduced Dr. Okorie and his attorney to the Executive Committee and advised the reasons why he had invited him to appear. Dr. Okorie had executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

Dr. Okorie advised that his practice has grown and that he has opened an additional clinic and added an APRN. Dr. Okorie advised that he works in the clinic with APRN Mathis and that he sees all new patients.

EXECUTIVE COMMITTEE MINUTES

Page 8

September 03, 2014

Following several questions from the Executive Committee, motion was made by Dr. Mayo and seconded by Dr. Miles that the Executive Committee enter into Executive Session to discuss a matter that could possibly lead to adverse action.

Following a motion by Dr. Crawford and seconded by Dr. Mayo, the Executive Committee came out of Executive Session at which time Dr. Crawford asked Dr. Miles to report on their decision. Dr. Miles advised that the Executive Committee voted to grant the request for a pain management practice.

Dr. Crawford thanked Dr. Okorie for appearing and advised that the Executive Committee will make their recommendation to the Full Board on Thursday and then advise him.

DISCUSS DISPENSING OF REPACKAGED MEDICATIONS

Dr. Crawford advised that she had been contacted by the Board of Pharmacy concerning repackaged medications and it appears as though the Board has a problem that needs to be addressed.

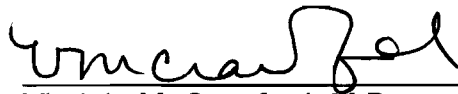
Following a brief discussion concerning a misunderstanding of many physicians not knowing the difference in dispensing and prescribing, the Executive Committee requested the Dr. Craig draft a statement addressing the issue.

REVIEW OF SEPTEMBER 04, 2014, BOARD AGENDA

Dr. Craig briefly reviewed the agenda for tomorrow's meeting.

ADJOURNMENT

There being no further business, the meeting adjourned at 4:40 p.m.



Virginia M. Crawford, M.D.
President

Minutes taken and transcribed
by Sherry H. Pilgrim
Staff Officer
September 03, 2014

**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**

I, **John Michael Specia, M.D.**, have been asked to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss issues which may relate to my practice and possible the grounds, if any, for disciplinary action, and possible resolution of the same. 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 disciplinary action against my license.
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 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:

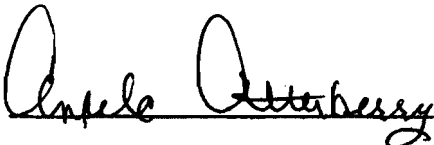
___ with legal counsel present (name of counsel: _____)

without legal counsel present

EXECUTED, this the 3rd day of September, 2014.



LICENSEE

Witness: 


EXECUTIVE SESSION - EXECUTIVE COMMITTEE
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
September 03, 2014

AGENDA ITEM: Personal appearance by John Speca, M.D., Applicant

In a motion by Dr. Mayo, seconded by Dr. Crawford, and carried the Executive Committee made the decision that Dr. Speca will be granted a license and will be sent a non-public letter of concern requiring him to return to the MSBML with his surgical log and operatives in 6 months.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Virginia M. Crawford, M.D.	X			
William S. Mayo, D.O.	X			
Charles D. Miles, M.D.	X			

With a motion by Dr. Crawford, seconded by Dr. Mayo, the Executive Committee came out of Executive Session.


Virginia M. Crawford, M.D.
President

**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**

I, **James S. Rawson, M.D.**, have been asked to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss issues which may relate to my practice and possible the grounds, if any, for disciplinary action, and possible resolution of the same. 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 disciplinary action against my license.
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 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: _____)

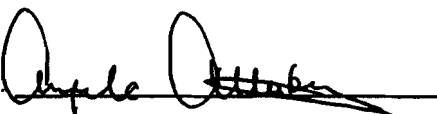
without legal counsel present

EXECUTED, this the 3 day of Sept., 2014.



LICENSEE

Witness



**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**

I, **Tarence E. Wade, M.D.**, have been asked to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss issues which may relate to my practice and possible the grounds, if any, for disciplinary action, and possible resolution of the same. 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 disciplinary action against my license.
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 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: Mike Hedman)

without legal counsel present

EXECUTED, this the 3rd day of Sept, 2014.



LICENSEE

Witness: Anna Boone

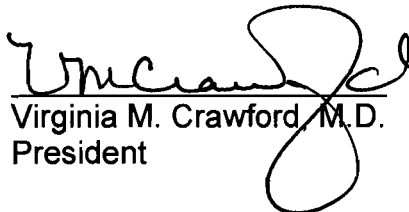
**EXECUTIVE SESSION - EXECUTIVE COMMITTEE
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
September 03, 2014**

AGENDA ITEM: Personal appearance by Tarence Wade, M.D.

In a motion by Dr. Mayo, seconded by Dr. Crawford, and carried the Executive Committee made the decision to approve the relationship because of federal qualified collaboration health center and because you are doing a good job with the regulations.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Virginia M. Crawford, M.D.	X			
William S. Mayo, D.O.	X			
Charles D. Miles, M.D.	X			

With a motion by Dr. Crawford, seconded by Dr. Mayo, the Executive Committee came out of Executive Session.


Virginia M. Crawford, M.D.
President

**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**

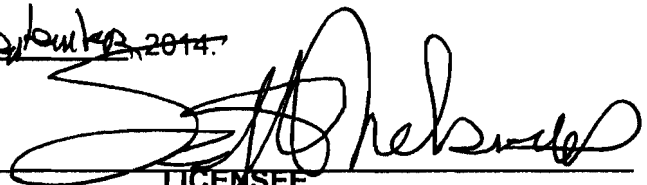
I, **Scott E. Nelson, M.D.**, have been asked to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss issues which may relate to my practice and possible the grounds, if any, for disciplinary action, and possible resolution of the same. 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 disciplinary action against my license.
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 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 3 day of September, 2014.



LICENSEE

Witness: Ana Boone


**EXECUTIVE SESSION - EXECUTIVE COMMITTEE
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
September 03, 2014**

AGENDA ITEM: Personal appearance by Scott Nelson, M.D.

In a motion by Dr. Mayo, seconded by Dr. Crawford, and carried the Executive Committee advised that Dr. Nelson needs to provide a letter listing all primary collaborative relationships including practice locations. Additionally, all secondary collaborative relationships need to be reported to the MSBML along with practice locations and primary physicians. Any changes in any of the above needs to be reported to the board within 30 days. In addition, Dr. Nelson should choose the records to be reviewed during the monthly and quarterly meetings.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Virginia M. Crawford, M.D.	X			
William S. Mayo, D.O.	X			
Charles D. Miles, M.D.	X			

With a motion by Dr. Crawford, seconded by Dr. Mayo, the Executive Committee came out of Executive Session.


Virginia M. Crawford, M.D.
President

**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**

I, **Patricia Ann Payne, M.D.**, have been asked to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss issues which may relate to my practice and possible the grounds, if any, for disciplinary action, and possible resolution of the same. 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 disciplinary action against my license.
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 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: J. L. Wilson)

without legal counsel present

EXECUTED, this the 3rd day of Sept, 2014.

Patricia A. Payne MD
LICENSEE

Witness: Anna Poore

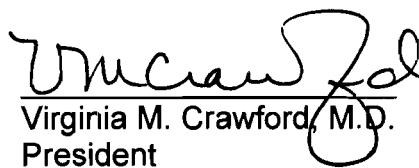
**EXECUTIVE SESSION - EXECUTIVE COMMITTEE
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
September 03, 2014**

AGENDA ITEM: Personal appearance by Patricia Ann Payne, M.D.

In a motion by Dr. Mayo, seconded by Dr. Crawford, and carried the Executive Committee advised their action will be to refer this matter to the full Medical Licensure Board for further consideration.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Virginia M. Crawford, M.D.	X			
William S. Mayo, D.O.	X			
Charles D. Miles, M.D.	X			

With a motion by Dr. Crawford, seconded by Dr. Mayo, the Executive Committee came out of Executive Session.


Virginia M. Crawford, M.D.
President

**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**

I, **Michael H. Albert, M.D.**, have been asked to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss issues which may relate to my practice and possible the grounds, if any, for disciplinary action, and possible resolution of the same. 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 disciplinary action against my license.
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 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: Elizabeth G. Hooper)

without legal counsel present

EXECUTED, this the 3 day of Sept, 2014.



LICENSEE

Witness: Anna Boone

**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**

I, **William F. Krooss, II, M.D.**, have been asked to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss issues which may relate to my practice and possible the grounds, if any, for disciplinary action, and possible resolution of the same. 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:

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2. I authorize the Committee Members to review and examine any statements, documentary evidence, or materials concerning the possible grounds for disciplinary action against my license.
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 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: Elizabeth G. Hooper)

without legal counsel present

EXECUTED, this the 3 day of Sept, 2014.



LICENSEE

Witness: Anna Boone

**EXECUTIVE SESSION - EXECUTIVE COMMITTEE
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
September 03, 2014**

AGENDA ITEM: Personal appearance by Michael Albert, M.D., and William F. Krooss, II, M.D.

In a motion by Dr. Mayo, seconded by Dr. Crawford, and carried the Executive Committee advised that the physician who is to be the primary collaborating physician in the free standing clinic in Pelahatchie needs to apply for and get approved to collaborate.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Virginia M. Crawford, M.D.	X			
William S. Mayo, D.O.	X			
Charles D. Miles, M.D.	X			

With a motion by Dr. Crawford, seconded by Dr. Mayo, the Executive Committee came out of Executive Session.


Virginia M. Crawford, M.D.
President

**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**

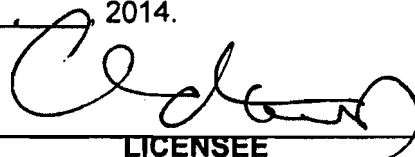
I, **Gregory A. Gordon, M.D.**, have been asked to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss issues which may relate to my practice and possible the grounds, if any, for disciplinary action, and possible resolution of the same. 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:

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2. I authorize the Committee Members to review and examine any statements, documentary evidence, or materials concerning the possible grounds for disciplinary action against my license.
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 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 3 day of Sept., 2014.



LICENSEE

Witness: Anna Boone

**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**

I, **Ikechukwu H. Okorie, M.D.**, have been asked to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss issues which may relate to my practice and possible the grounds, if any, for disciplinary action, and possible resolution of the same. 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:

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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: Julie Mitchell)

without legal counsel present

EXECUTED, this the 3 day of Sept., 2014.



LICENSEE

Witness: Ana Rose

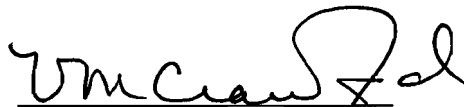
**EXECUTIVE SESSION - EXECUTIVE COMMITTEE
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
September 03, 2014**

AGENDA ITEM: Personal appearance by Ikechukwu H. Okorie, M.D.

In a motion by Dr. Mayo, seconded by Dr. Crawford, and carried the Executive Committee made the decision to grant the request for a pain management certificate.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Virginia M. Crawford, M.D.	X			
William S. Mayo, D.O.	X			
Charles D. Miles, M.D.	X			

With a motion by Dr. Crawford, seconded by Dr. Mayo, the Executive Committee came out of Executive Session.


Virginia M. Crawford, M.D.
President

BOARD

MEETING

MINUTES

**BOARD MINUTES
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
SEPTEMBER 04, 2014**

The regularly scheduled meeting of the Mississippi State Board of Medical Licensure was held on Thursday, September 04, 2014, in the Board Room of the Office of the Board located at 1867 Crane Ridge Drive, Jackson, Mississippi.

The following members were present:

Virginia M. Crawford, M.D., Hattiesburg, President
Charles D. Miles, M.D., West Point, Secretary
Claude D. Brunson, M.D., Jackson
Rickey L. Chance, D.O., Ocean Springs
John C. Clay, M.D., Meridian
S. Randall Easterling, M.D., Vicksburg
C. Kenneth Lippincott, M.D., Tupelo
J. Ann Rea, M.D., Summit

Also present:

H. Vann Craig, M.D., Director
Stan T. Ingram, Complaint Counsel for the Board
Ellen O'Neal, Assistant Attorney General
Rhonda Freeman, Bureau Director, Licensure Division
Thomas Washington, Bureau Director, Investigative Division
Leslie Ross, Investigations Supervisor
Frances Carrillo, Special Projects Officer, Investigative Division
Sherry H. Pilgrim, Staff Officer
Wesley Breland, Hattiesburg, Consumer Health Committee
Charles Thomas, Yazoo City, Consumer Health Committee
Maj Gen (Ret) Erik Hearon, Consumer Health Committee

Not present:

William S. Mayo, D.O., Oxford, Vice President

The meeting was called to order at 9:00 a.m. by Dr. Crawford, President. The invocation was given by Dr. Easterling and the pledge was led by Dr. Rea. Dr. Crawford welcomed Susan Gleason, Court Reporter, and extended a welcome to all visitors present at the meeting. Dr. Craig introduced Maj Gen (retired) Erik Hearon as the Board's new Consumer Health Committee member. Thomas Washington, Bureau Director, Investigative Division introduced Andrew Pitts as the Board's new investigator. Also, Dr. Craig recognized Arlene Davis, Systems Manager of the IT department, for 20 years of service and presented her with a certificate and pin. Dr. Easterling advised

BOARD MINUTES

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September 04, 2014

that one of our Board members, Dr. Brunson, was recently sworn in as President of the Mississippi State Medical Association.

Dr. Crawford opened the floor for public comments but there were none.

MR. THOMAS ARRIVED AT 9:08 A.M.

APPROVAL OF CERTIFICATION OF MISSISSIPPI LICENSES TO OTHER ENTITIES FOR THE PERIOD JUNE 01, 2014, THROUGH JULY 31, 2014

Two hundred sixty-seven (267) licenses were certified to other entities for the period June 01, 2014, through July 31, 2014. Motion was made by Dr. Easterling, seconded by Dr. Miles, and carried unanimously to approve these certifications.

APPROVAL OF LICENSES ISSUED FOR THE PERIOD JUNE 01, 2014, THROUGH JULY 31, 2014

One hundred forty-five (145) licenses were issued for the period June 01, 2014, through July 31, 2014. Motion was made by Dr. Easterling, seconded by Dr. Miles, and carried unanimously to approve these licenses.

REVIEW OF MINUTES OF THE EXECUTIVE COMMITTEE MEETING DATED JULY 09, 2014, AND MINUTES OF THE BOARD MEETING DATED JULY 10, 2014

Minutes of the Executive Committee Meeting dated July 09, 2014, and Minutes of the Board Meeting dated July 10, 2014, were reviewed. Dr. Clay moved for approval of the minutes as submitted. Dr. Easterling seconded the motion and it carried unanimously.

REPORT OF SEPTEMBER 03, 2014, EXECUTIVE COMMITTEE MEETING

Dr. Craig briefly discussed issues that were discussed by the Executive Committee on September 03, 2014. Information pertaining to the Executive Committee's decision/recommendations are included in the Executive Committee Minutes dated September 03, 2014.

Following a brief discussion, motion was made by Dr. Easterling, seconded by Dr. Miles, and carried that the decision/recommendations of the Executive Committee be accepted with the exception of Dr. Okorie and Dr. Payne and he moved that the Board enter into Executive Session to discuss these two (2) physicians further to deal with issues that could result in possible adverse action. Dr. Miles seconded the motion to enter into Executive Session and the motion carried.

BOARD MINUTES

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September 04, 2014

Upon a motion by Dr. Crawford, seconded by Dr. Brunson, and carried the Board came out of Executive Session at which time Dr. Crawford asked Dr. Miles to report on the Board's decision. Dr. Miles advised that in the matter concerning Dr. Okorie that the Board had voted to place the recommendation of the Executive Committee for approval of the pain management certificate on hold pending further evaluation of the situation. Also, Dr. Miles advised that in the matter of Dr. Payne, the Board voted to refer Dr. Payne to the Examining Committee for evaluation. Pending that evaluation, Dr. Payne would be asked not to practice medicine or write prescriptions.

REPORTS FROM COMMITTEES

Dr. Crawford advised that the following would be the new committees and advised that if your committee was going to have a meeting that you would need to notify the Board at least 24 hours in advance so that it could be published on DFA's website as all meetings are considered open to the public.

Scope of Practice - Dr. Easterling (Chair), Dr. Chance, Dr. Miles, Dr. Rea,
Mr. Thomas

Dr. Easterling advised there was no new information to report.

Professionals Health Program - Dr. Chance (Chair), Dr. Lippincott, Dr. Crawford

Dr. Chance advised there was no new information to report.

Rules, Regulation & Legislative - Dr. Mayo (Chair), Dr. Easterling, Dr. Miles
Dr. Clay, Mr. Breland

In Dr. Mayo's absence, Dr. Easterling advised there was no new information to report.

Telemedicine / Interstate Licensure Compact - Dr. Brunson (Chair), Dr. Crawford
Dr. Craig, Ms. Freeman, Maj Gen (Retired) Hearon

Dr. Brunson advised there was no new information to report.

Licensees Education and Communication - Dr. Easterling (Chair), Dr. Chance,
Dr. Crawford, Dr. Rea, Ms. Freeman

Dr. Easterling advised there was no new information to report.

BOARD MINUTES

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September 04, 2014

PRESENTATION BY HENRY DEPHILLIPS, M.D., CHIEF MEDICAL OFFICER OF TELADOC, INC.

Dr. DePhillips was invited to make a presentation to the Board concerning Teladoc. Dr. DePhillips advised that he is a board certified family physician and provided an informative discussion about exactly how Teladoc provides access 24/7 to patients with uncomplicated problems. Dr. DePhillips advised that they are equipped to handle audio or video primary care by medical consults. Dr. DePhillips advised that Teladoc is in all states with the exception of Idaho. Dr. DePhillips advised that currently they do not utilize APRNs or any mid-level practitioners. At the current time, Teladoc only recruits local physicians that are specialized in family practice, emergency medicine, pediatrics, or internal medicine.

Following several questions from Board members and a brief discussion about Senate Bill 2209 passed earlier this year, Dr. Crawford thanked Dr. DePhillips for coming and making the presentation at today's meeting.

PRESENTATION BY SHARON DOUGLAS, M.D., AND RICK BOYTE, M.D., CONCERNING HOUSE BILL 1014 CREATING A PHYSICIAN ORDER OF SUSTAINING TREATMENT (POST) FORM

Dr. James Rish was present and made the presentation of the POST form. Dr. Rish advised that as past president of Mississippi State Medical that he had been involved in House Bill 1014 as well as the POST form. Dr. Rish advised that the form is voluntary and is usually for persons with advanced illness. Dr. Rish advised that the form records the patient's wishes for medical treatment during their current state of health. Dr. Rish requested the Board's approval so that the form can be implemented on a statewide basis and requested that the Board make the POST form available on the Board's website.

Motion was made by Dr. Brunson, seconded by Dr. Miles, and carried of the Board's approval of the POST form. A copy of the POST form is attached hereto and incorporated by reference.

PERSONAL APPEARANCE BY BRUCE DAVID SMITH, M.D., SPRING, TX, MISSISSIPPI MEDICAL LICENSE NUMBER 19596

Stan Ingram, Complaint Counsel for the Board, introduced Dr. Smith and his attorney, Doug Mercier. Mr. Ingram advised that the Board had sent a Summons and Affidavit to Dr. Smith to appear at the July Board meeting. Mr. Ingram advised at that time that the Board had also sent Dr. Smith a proposed Consent Order but that it

BOARD MINUTES

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September 04, 2014

had not been returned by the last Board meeting. Mr. Ingram advised that Dr. Smith was here today requesting the Board's approval of the proposed Consent Order. Mr. Ingram briefly summarized the proposed Consent Order and briefly discussed the investigation into the diet clinic in McComb.

Mr. Mercier addressed the Board and advised that Dr. Smith basically got caught up in something and made mistakes. Mr. Mercier advised that the Texas Medical Board is investigating the matter now. Mr. Mercier advised that Dr. Smith was here to request the Board's approval of the proposed Consent Order.

Following several questions from Board members, motion was made by Dr. Chance, seconded by Dr. Easterling, and carried that the Board enter into Executive Session to discuss a matter which could possibly result in adverse action.

Upon a motion by Dr. Easterling, seconded by Dr. Chance, the Board came out of Executive Session at which time Dr. Crawford asked Dr. Miles to report on the Board's decision. Dr. Miles advised that the Board unanimously accepts the Consent Order with the added item that any practice that Dr. Smith does in Mississippi will be limited to radiology. A copy of the Board's Order is attached hereto and incorporated by reference.

PERSONAL APPEARANCE BY JAMES C. WRIGHT, D.O., LAKE VILLAGE, AR, MISSISSIPPI MEDICAL LICENSE NUMBER 15489

Dr. Craig advised that Dr. Wright had requested to appear to request that the Board lift all restrictions on his medical license.

Mr. Ingram introduced Dr. Wright as he joined the meeting and advised that he was here today without counsel to request that the Board lift restrictions currently on his medical license. Mr. Ingram advised Dr. Wright that Ellen O'Neal, Assistant Attorney General, would like to question him regarding legal representation. Following questions from Ms. O'Neal, Dr. Wright stated that he wanted to waive his right to an attorney and proceed without legal counsel.

With Dr. Wright's approval, Mr. Ingram entered exhibits into the record and provided the Board with a brief background concerning the Consent Order that Dr. Wright signed on April 18, 2013. Mr. Ingram advised that Dr. Wright has met all the required obligations.

Scott Hambleton, M.D., Medical Director of the Mississippi Professionals Health Program (MPHP), and Dr. Wright were both sworn in by the court reporter. Dr. Wright addressed the Board and discussed his affiliation in Greenville with the Wound Care

BOARD MINUTES

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September 04, 2014

Center several days a month before responding to questions from the Board members. Dr. Hambleton addressed the Board and advised that MPHP is in full support of Dr. Wright's request and he has full advocacy of MPHP.

Motion was made by Dr. Easterling, seconded by Dr. Brunson, and carried to grant Dr. Wright's request and remove all restrictions currently on his Mississippi medical license. A copy of the Order Removing all Restrictions is attached hereto and incorporated by reference.

SHOW CAUSE HEARING IN THE CASE OF SUDHIR PUJARI, M.D., LAUREL, APPLICANT

Mr. Ingram introduced Dr. Pujari and his attorney, Mark Garriga. Mr. Ingram advised that the Board had issued Dr. Pujari a Summons and Affidavit to appear for a Show Cause hearing. Mr. Ingram advised that Dr. Pujari and Mr. Garriga had requested a settlement conference which was conducted last week. Mr. Ingram provided the Board with a brief background concerning Dr. Pujari and covered the proposed Consent Order that was the result of the settlement conference.

Mr. Garriga addressed the Board and expressed his appreciation for the settlement conference and the opportunity to move forward with the proposed Consent Order.

Motion was made by Dr. Chance, seconded by Dr. Miles, and carried that the Board enter into Executive Session to discuss a matter that could result in adverse action on Dr. Pujari's license.

Upon a motion by Dr. Chance, seconded by Dr. Easterling, the Board came out of Executive Session at which time Dr. Crawford asked Dr. Miles to report on the Board's decision. Dr. Miles advised that the Board unanimously agrees to accept the Consent Order. A copy of the Consent Order is attached hereto and incorporated by reference.

HEARING IN THE CASE OF ANTHONY VERNON DALLAS, JR., M.D., HENDERSONVILLE, TN, MISSISSIPPI MEDICAL LICENSE NUMBER 21620

Mr. Ingram addressed the Board and introduced Joel Howell as the attorney representing Dr. Dallas. Mr. Ingram advised that the Board had issued a Summons and Affidavit for a hearing and that Dr. Dallas had requested a settlement conference which was held last week. Mr. Ingram advised that Mr. Howell was here today without Dr. Dallas appearing to request the Board's approval of the proposed Consent Order. Mr. Ingram briefly provided the Board with a brief background and summarized the proposed Consent Order.

BOARD MINUTES

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September 04, 2014

Mr. Howell addressed the Board and expressed concerns with the summary provision and asked that the Board consider some changes.

Following several questions from Board members, motion was made by Dr. Easterling, seconded by Dr. Chance, and carried that the Board accept the proposed Consent Order without any changes. A copy of the Order is attached hereto and incorporated by reference.

THE BOARD RECESSED AT 11:40 A.M. AND RETURNED AT 12:30 P.M.

OTHER BUSINESS

REPACKAGING OF MEDICATIONS

Dr. Craig advised that the Pharmacy Board had identified some companies coming in and offering repackaging of medications for sale in some physicians' offices. Dr. Craig handed out a draft statement for the Board to review.

Following a brief discussion about how to distribute information to physicians, Dr. Craig was advised to tweak the statement and send to Dr. Crawford and the Pharmacy Board for review and followup.

HEARING IN THE CASE OF LOUIE FRANKLIN HOOD, D.O., GADSDEN, AL, MISSISSIPPI MEDICAL LICENSE NUMBER 11865

Mr. Ingram advised that the Board had sent Dr. Hood a Summons and Affidavit to appear for a hearing. Mr. Ingram advised that Dr. Hood was here today without counsel and introduced him to the Board members. Since Dr. Hood was without counsel, Mr. Ingram advised him that Ellen O'Neal, Assistant Attorney General, would like to question him regarding legal representation. Following questions from Ms. O'Neal, Dr. Hood stated that he wanted to waive his right to an attorney and proceed without legal counsel.

Mr. Ingram, with Dr. Hood's permission, briefly summarized the Summons and Affidavit and advised the Board that Dr. Hood had been disciplined by the Alabama Board. Mr. Ingram entered several exhibits into the record with no objections from Dr. Hood. Mr. Ingram advised the Board that Dr. Hood did not respond to the charges in the affidavit that was previously sent to him.

Dr. Hood was sworn in by the court reporter and addressed the Board. Dr. Hood made several statements about the information in the Summons and Affidavit and advised that he had earlier moved to Grenada to work in the emergency room and had

BOARD MINUTES

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September 04, 2014

no complaints there. Dr. Hood advised that he has contacted Dr. Hambleton and that he was here today to request a second chance.

Following questions from Board members, Dr. Hood advised that he has not worked in the last year and that he did not appeal Alabama's decision.

Motion was made by Dr. Miles, seconded by Dr. Rea, and carried that the Board enter into Executive Session to discuss a matter that could result in an appealable order before the Board.

Upon a motion by Dr. Crawford, seconded by Dr. Easterling, the Board came out of Executive Session at which time Dr. Crawford asked Dr. Miles to report on the Board's decision. Dr. Miles advised that the Board unanimously found Dr. Hood guilty of Counts I and II as set out in the Summons and Affidavit. As a result, Dr. Hood's Mississippi medical license are hereby revoked. Dr. Miles advised Dr. Hood if he desired to reapply for a Mississippi medical license that he must obtain the advocacy of MPHP, and that he has the right but not the obligation to reapply after one (1) year. A copy of the Order is attached hereto and incorporated by reference.

LIST OF MISSISSIPPI PHYSICIANS AND PHYSICIAN ASSISTANTS THAT DID NOT RENEW THEIR LICENSE BY JUNE 30, 2014

For informational purposes only, Dr. Craig advised that the list shows all the physicians and physician assistants that did not renew their license by June 30, 2014.

DISCUSS COMPREHENSIVE PAIN SPECIALISTS (CPS) APPLICATIONS FOR MISSISSIPPI LICENSURE PER THE BOARD'S DECISION AT THE MAY 15, 2014, BOARD MEETING

Dr. Craig advised that the attorneys for CPS had requested to appear before the Board and discuss matters concerning CPS. Dr. Miles had requested the missing information on the physicians that had applied with the Board and he provided a brief recap.

Mr. Ingram introduced Julie Mitchell and Phillip Chapman, attorneys for CPS. Ms. Mitchell advised that the physicians had applied but only one has obtained a Mississippi license. Also, she advised that they had submitted the paperwork for pain management practices. Ms. Mitchell advised that CPS plans to open several facilities in the state and that each one will have a medical director.

Following several questions from Board members, motion was made by Dr.

BOARD MINUTES

Page 9

September 04, 2014

Brunson, seconded by Dr. Easterling, and carried that by the November Board meeting five (5) of the physicians must be licensed and the Board will not approve their request for the pain management practices until the physicians have a valid Mississippi license.

PROPOSED ADDITION TO BOARD'S REGULATION PART 2601 CHAPTER 5: ADMINISTRATIVE MEDICAL LICENSE

Dr. Craig advised that at the Board's request he had sent an ExecNet and compiled the information to draft the proposed administrative license.

Following a brief discussion, Dr. Crawford made a motion to refer the proposal to the Rules and Reg Committee for their input and to include CME hours as well as documentation that they are qualified to practice medicine. The motion was seconded by Dr. Rea and carried.

REQUEST FROM MATTHEW GARNER, PA-C, FOR A TEMPORARY LICENSE RENEWAL - TPA 0025

Dr. Craig advised that an email had been sent requesting an extension of his temporary license. Dr. Craig stated that the Board's rule states that a temp license can be issued for 180 days and may be extended another 180 days upon a majority vote of the Board.

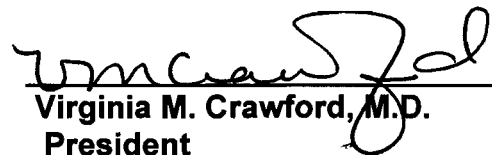
Motion was made by Dr. Brunson, seconded by Dr. Miles, and carried to grant the 180 day waiver.

OTHER BUSINESS

Dr. Easterling discussed forming a committee on collaboration that would be able to give consult to the staff for all new collaborations for free standing clinics. Following a brief discussion, Dr. Crawford advised that this matter could be handled by the Scope of Practice Committee.

ADJOURNMENT

There being no further business, the meeting adjourned at 3:00 p.m., with the next meeting scheduled for Thursday, November 13, 2014.


Virginia M. Crawford, M.D.
President

Minutes taken and transcribed
by Sherry H. Pilgrim
Staff Officer
September 04, 2014

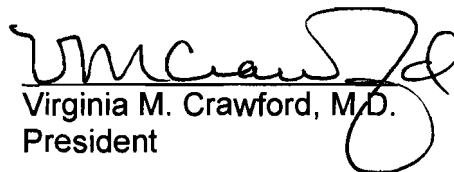
**EXECUTIVE SESSION
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
SEPTEMBER 04, 2014**

AGENDA ITEM: Discuss Dr. Okorie from decision of EC on Wednesday

In a motion made by Dr. Crawford, seconded by Dr. Easterling, and carried the Board wants to place the recommendation of the EC for approval of a pain management certificate on hold pending further evaluation of the situation.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Claude D. Brunson, M.D.	X			
Rickey L. Chance, D.O.	X			
John C. Clay, M.D.	X			
Virginia M. Crawford, M.D.	X			
S. Randall Easterling, M.D.	X			
C. Ken Lippincott, M.D.	X			
William S. Mayo, D.O.				X
Charles D. Miles, M.D..	X			
J. Ann Rea, M.D.	X			

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


Virginia M. Crawford, M.D.
President

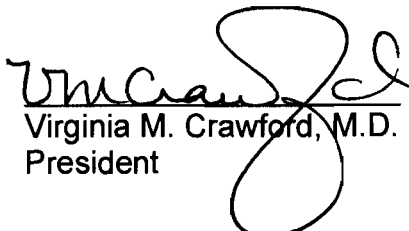
**EXECUTIVE SESSION
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
SEPTEMBER 04, 2014**

AGENDA ITEM: Discuss Dr. Payne from decision of EC on Wednesday

In a motion made by Dr. Easterling, seconded by Dr. Crawford, and carried the Board's motion is to refer Dr. Payne to the Examining Committee for evaluation. Pending that evaluation she is asked not to practice medicine and writing prescriptions.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Claude D. Brunson, M.D.	X			
Rickey L. Chance, D.O.	X			
John C. Clay, M.D.	X			
Virginia M. Crawford, M.D.	X			
S. Randall Easterling, M.D.	X			
C. Ken Lippincott, M.D.	X			
William S. Mayo, D.O.				X
Charles D. Miles, M.D..	X			
J. Ann Rea, M.D.	X			

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


Virginia M. Crawford, M.D.
President

MISSISSIPPI PHYSICIAN ORDERS FOR SUSTAINING TREATMENT (POST)

<ul style="list-style-type: none"> • This document is based on this person's current medical condition and wishes and is to be reviewed for potential replacement in the case of a substantial change in either • HIPAA permits disclosure of POST to other health professionals as necessary • Any section not completed indicates preference for full treatment for that section 	Patient Last Name <hr/> Patient Date of Birth	Patient First Name/Middle <hr/> Effective Date (Form must be reviewed at least annually)
A Check one	CARDIOPULMONARY RESUSCITATION (CPR): Patient has no pulse AND is not breathing. <input type="checkbox"/> Attempt Resuscitation (CPR) <input type="checkbox"/> Do Not Attempt Resuscitation (DNR) <i>When not in cardiopulmonary arrest, follow orders in B, C, and D.</i>	
B Check One	MEDICAL INTERVENTIONS: If the patient has pulse AND breathing OR has pulse and is NOT breathing. <input type="checkbox"/> Full Sustaining Treatment: Transfer to a hospital if indicated. Includes intensive care. Treatment Plan: Full treatment including life support measures. Provide treatment including the use of intubation, advanced airway interventions, mechanical ventilation, defibrillation or cardioversion as indicated, medical treatment, intravenous fluids, and comfort measures. <input type="checkbox"/> Limited Interventions: Transfer to a hospital if indicated. Avoid intensive care. Treatment Plan: Provide basic medical treatments. In addition to care described in Comfort Measures below, provide the use of medical treatment; oral and intravenous medications; intravenous fluids; cardiac monitoring as indicated; noninvasive bi-level positive airway pressure; a bag valve mask. This option excludes the use of intubation or mechanical ventilation. ADDITIONAL ORDERS: (e.g., vasopressors, dialysis, etc.) _____ <input type="checkbox"/> Comfort Measures Only: Treatment Goal: Maximize comfort through use of medication by any route; keeping the patient clean, warm, and dry; positioning, wound care, and other measures to relieve pain and suffering; and the use of oxygen, suction, and manual treatment of airway obstruction as needed for comfort. Do not transfer to a hospital unless comfort needs cannot be met in the patient's current location (e.g., hip fracture). Other instructions: _____	
C Check One	ANTIBIOTICS: <input type="checkbox"/> Use antibiotics if life can be sustained <input type="checkbox"/> Determine use or limitation of antibiotics when infection occurs <input type="checkbox"/> Use antibiotics only to relieve pain and discomfort Other Instructions _____	
D Check One in Each of the 3 Categories	MEDICALLY ADMINISTERED FLUIDS AND NUTRITION: Administer oral fluids and nutrition if physically possible. Directing the administration of nutrition into blood vessels if physically feasible as determined in accordance with reasonable medical judgment by selecting one (1) of the following: <input type="checkbox"/> Total parenteral nutrition, long-term if indicated. <input type="checkbox"/> Total parenteral nutrition for a defined trial period. Goal: _____ <input type="checkbox"/> No parenteral nutrition. <hr/> Directing the administration of nutrition by feeding tube if physically feasible as determined in accordance with reasonable medical judgment by selecting one (1) of the following: <input type="checkbox"/> Long-term feeding tube if indicated <input type="checkbox"/> Feeding tube for a defined trial period. Goal: _____ <input type="checkbox"/> No feeding tube OTHER INSTRUCTIONS _____ <hr/> Directing the administration of hydration if physically feasible as determined in accordance with reasonable medical judgment by selecting one (1) of the following: <input type="checkbox"/> Long-term intravenous fluids if indicated <input type="checkbox"/> Intravenous fluids for a defined trial period. Goal: _____ <input type="checkbox"/> Intravenous fluids only to relieve pain and discomfort	
E Check All That Apply	PATIENT PREFERENCES AS A BASIS FOR THIS POST FORM (THIS SECTION TO BE FILLED OUT WITH PATIENT DIRECTION) <input type="checkbox"/> Patient has an advance healthcare directive (per statute § 41-41-203): <input type="checkbox"/> YES, Date of Execution: _____ <i>I certify that the Physician Order for Sustaining Treatment is in accordance with the advance directive.</i> Signature: _____ Print Name: _____ Relationship: _____ <input type="checkbox"/> Patient is an unemancipated minor, direction was provided by the following in accordance with §41-41-3, Mississippi Code of 1972: <input type="checkbox"/> Minor's guardian or custodian <input type="checkbox"/> Minor's parent <input type="checkbox"/> Adult brother or sister of the minor <input type="checkbox"/> Minor's grandparent, or <input type="checkbox"/> Adult who has exhibited special care and concern for minor <input type="checkbox"/> Patient is an adult or an emancipated minor, direction was provided by the following in accordance with §41-41-205, 41-41-211 or 41-41-213, Mississippi Code of 1972: <input type="checkbox"/> Patient	

- Agent authorized by patient's power of attorney for health care
- Guardian of the patient
- Surrogate designated by patient
- Spouse of patient (if not legally separated)
- Adult child of the patient
- Parent of the patient
- Adult brother or sister of the patient, or
- Adult who has exhibited special care and concern for the patient and is familiar with the patient's values

F

SIGNATURE OF PATIENT OR REPRESENTATIVE

Signature	Print Name	Date
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SIGNATURE OF PRIMARY PHYSICIAN (POST MUST BE REVIEWED AND SIGNED BY A PHYSICIAN TO BE VALID)

Signature (Required)	Print Name	Date (Required)
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HEALTH CARE PROFESSIONAL PREPARING FORM (IF OTHER THAN PATIENT'S PRIMARY PHYSICIAN)

Signature	Print Name	Contact Information	Date
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G

INFORMATION FOR PATIENT OR REPRESENTATIVE OF PATIENT NAMED ON THIS FORM

The POST form is always voluntary and is usually for persons with advanced illness. POST records your wishes for medical treatment in your current state of health. Once initial medical treatment is begun and the risks and benefits of further therapy are clear, your treatment wishes may change. Your medical care and this form can be changed to reflect your new wishes at any time. However, no form can address all the medical treatment decisions that may need to be made. An advance health-care directive is recommended for all capable adults and emancipated minors, regardless of their health status. An advance directive allows you to document in detail your future health care instructions and/or name a health-care agent to speak for you if you are unable to speak for yourself.

If this form is for a minor for whom you are authorized to make health-care decisions, you may not direct denial of medical treatment in a manner that would make the minor a "neglected child" under Section 43-21-105, Mississippi Code of 1972, or otherwise violate the child abuse and neglect laws of Mississippi. In particular, you may not direct the withholding of medically indicated treatment from a disabled infant with life-threatening conditions, as those terms are defined in 42 USCS Section 5106g or regulations implementing it and 42 USCS Section 5106a.

H

DIRECTIONS FOR COMPLETING AND IMPLEMENTING FORM

I. COMPLETING POST

POST must be reviewed and prepared in consultation with the patient or the patient's representative.
POST must be reviewed and signed by a physician to be valid. Be sure to document the basis for concluding the patient had or lacked capacity at the time of execution on the form in the patient's medical record. The signature of the patient or the patient's representative is required; however, if the patient's representative is not reasonably available to sign the original form, a copy of the completed form with the signature of the patient's representative must be placed in the medical record as soon as practicable and "on file" must be written on the appropriate signature on this form.
 Use of original form is required. Be sure to send the original form with the patient.
 There is no requirement that a patient have a POST.

II. IMPLEMENTING POST

If a health care provider or facility is unwilling to comply with the orders due to policy or personal objections, the provider or facility must not impede transfer of the patient to another provider or facility willing to implement the orders and must provide at least requested care in the meantime unless, in reasonable medical judgment, denial of requested care would not result in or hasten the patient's death.
 If a minor protests a directive to deny the minor life-preserving medical treatment, the denial of treatment may not be implemented pending issuance of a judicial order resolving the conflict.

III. REVIEWING POST

This POST must be reviewed at least annually or earlier if;

- a. The patient is admitted or discharged from a health care facility;
- b. There is a substantial change in the patient's health status; or
- c. The patient's treatment preferences change

If POST is revised or becomes invalid, draw a line through Sections A-E and write "VOID" in large letters.

IV. REVOCATION OF POST

This POST may be revoked by the patient or the patient's representative.

I

REVIEW OF POST

Review Date	Reviewer and Location of Review	MD/DO Signature (Required)	Signature of Patient or Representative (Required)	Outcome of Review (Choose one)
				<input type="checkbox"/> No Change <input type="checkbox"/> FORM VOIDED, new form completed <input type="checkbox"/> FORM VOIDED, no new form
				<input type="checkbox"/> No Change <input type="checkbox"/> FORM VOIDED, new form completed <input type="checkbox"/> FORM VOIDED, no new form


**EXECUTIVE SESSION
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
SEPTEMBER 04, 2014**

AGENDA ITEM: Hearing in the case of Bruce David Smith, M.D.

In a motion made by Dr. Easterling, seconded by Dr. Rea, and carried the Board's motion is to accept the Consent Order with the added item that any practice Dr. Smith does in Mississippi be limited to radiology.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Claude D. Brunson, M.D.	X			
Rickey L. Chance, D.O.	X			
John C. Clay, M.D.	X			
Virginia M. Crawford, M.D.	X			
S. Randall Easterling, M.D.	X			
C. Ken Lippincott, M.D.	X			
William S. Mayo, D.O.				X
Charles D. Miles, M.D..	X			
J. Ann Rea, M.D.	X			

With a motion by Dr. Easterling, seconded by Dr. Chance, the Board came out of Executive Session.



Virginia M. Crawford, M.D.
President

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF PHYSICIAN'S LICENSE

OF

BRUCE DAVID SMITH, M.D.

CONSENT ORDER

WHEREAS, BRUCE DAVID SMITH, M.D., hereinafter referred to as "Licensee," is the current holder of Mississippi Medical License No. 19596, issued December 11, 2006, and said license is current until June 30, 2015;

WHEREAS, the Investigative Staff of the Mississippi State Board of Medical Licensure, hereinafter referred to as the "Board," conducted a comprehensive investigation into the medical practice of Licensee in McComb, Mississippi, and has in its possession evidence which, if produced during the course of an evidentiary hearing, would substantiate that Licensee has violated provisions of the Board's Administrative Code, and has administered, dispensed or prescribed drugs having addiction-forming or addiction-sustaining liability otherwise than in the course of legitimate professional practice;

WHEREAS, the above conduct, if established before the Board, constitutes violations of the Mississippi Medical Practice Act, specifically, Subsections (3), (8)(d), and (13) of § 73-25-29 and § 73-25-83(a), Miss. Code Ann. (1972), as amended; Rule 1.5(A)(1), (2), (3) and (4) of Title 30, Part 2640, Chapter 1 of the Board's Administrative Code "Use of Diet Medication," for which the Board 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, on April 3, 2014, Licensee signed a Voluntary Surrender of Controlled Substance Privileges form, in view of his alleged failure to comply with the Federal requirements pertaining to controlled substances, and as an indication of his good faith in desiring to remedy any incorrect or unlawful practices on his part. By virtue of signing said form, Licensee thereby relinquished his Drug Enforcement Administration (DEA) Uniform Controlled Substances Registration Certificate No. FS4120678, which authorized Licensee to prescribe, administer or dispense schedules II, IIN, III, IIIN, IV and V;

WHEREAS, it is the desire of Licensee to avoid an evidentiary hearing before the Board and, in lieu thereof, has agreed to enter into this Consent Order subject to the terms, conditions and restrictions as specified below;

NOW, THEREFORE, the Mississippi State Board of Medical Licensure with consent of Licensee as signified by his joinder herein, does hereby **Formally Reprimand** and restrict Licensee's certificate (No. 19596) to practice medicine in the State of Mississippi, subject to the following terms and conditions, to-wit:

1. Licensee shall henceforth be forever prohibited from owning or operating a diet clinic, or treating patients for the purpose of weight loss or weight control in the State of Mississippi. Licensee shall not prescribe, dispense or administer any controlled substance, legend drug, over the counter (OTC) medication or herbal preparation for the treatment of obesity, weight loss or weight control.
2. Licensee shall not have the right to apply with the DEA for the privileges of prescribing, administering, or dispensing controlled substances in any schedule in the State of Mississippi.

3. Licensee shall report in writing to the Board within fifteen (15) days should his medical license in any state be subject to investigation or disciplinary action.
4. Should Licensee decide to practice medicine in Mississippi, his medical practice shall be subject to periodic surveillance and limited to the practice of radiology. The Board's Director, any member of the Board, or Investigator for the Board may perform an unannounced inspection of any clinic wherein Licensee practices, which may include a chart review of selected patient files.
5. Licensee shall obey all federal, state and local laws, and all rules and regulations governing the practice of medicine.
6. Violation of any provision(s) of the Medical Practice Act, the rules and regulations of the Board, or any provision of this Order, shall constitute evidence of unprofessional conduct and will be grounds for further disciplinary action by the Mississippi State Board of Medical Licensure.
7. Licensee shall reimburse the Board for all costs incurred in relation to the pending matter pursuant to Miss. Code Ann., § 73-25-30, said amount not to exceed \$10,000. Licensee shall be advised of the total assessment by separate written notification, and shall tender to the Board 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 the assessment is mailed to Licensee via U.S. Mail to Licensee's current mailing address.

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

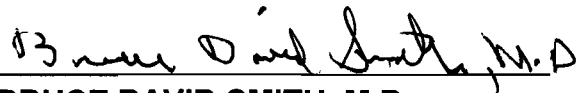
parties. It is further understood and agreed that the purpose of this Consent Order is to avoid a hearing before the Board. In this regard, Licensee authorizes the Board to review and examine any documentary evidence or material concerning the Licensee prior to or in conjunction with its consideration 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.

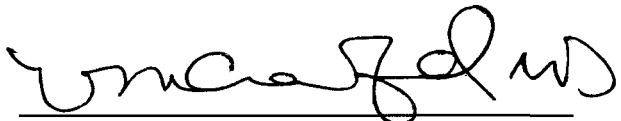
Recognizing his right to notice of charges specified against him, to have such charges adjudicated pursuant to Miss. Code Ann. § 73-25-27 (1972), to be represented therein by legal counsel of his choice, and to a final decision rendered upon written findings of fact and conclusions of law, **BRUCE DAVID SMITH, M.D.**, nevertheless, 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 **formally reprimanding** Licensee for his actions and prohibiting him from ever owning or operating a weight loss clinic or treating

patients for weight loss or weight control in the State of Mississippi. Furthermore, if Licensee practices medicine in the State of Mississippi, he agrees to not make application with the U. S. Drug Enforcement Administration for the privilege of prescribing, dispensing or administering controlled substances in this state.

Executed, this the 4th, day of September, 2014.


BRUCE DAVID SMITH, M.D.

ACCEPTED AND APPROVED, this the 4th, day of September, 2014, by the Mississippi State Board of Medical Licensure.


VIRGINIA M. CRAWFORD, M.D.
President

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIANS'S LICENSE

OF

JAMES CLAUDE WRIGHT, D.O.

ORDER REMOVING ALL RESTRICTIONS

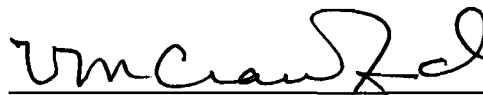
THIS MATTER came on regularly for consideration on September 04, 2014, before the Mississippi State Board of Medical Licensure, in response to the request of James Claude Wright, D.O., (hereinafter "Licensee"), seeking removal of all restrictions imposed on his Mississippi medical license by virtue of that certain Consent Order dated May 16, 2013. 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 James Claude Wright, D.O.

ORDERED, this the 4th day of September, 2014.

Mississippi State Board of Medical Licensure



Virginia M. Crawford, M.D.
President


**EXECUTIVE SESSION
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
SEPTEMBER 04, 2014**

AGENDA ITEM: Show Cause hearing in the case of Sudhur Pujari, M.D., Applicant

In a motion made by Dr. Miles, seconded by Dr. Easterling, and carried the Board's decision is to accept the Consent Order.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Claude D. Brunson, M.D.	X			
Rickey L. Chance, D.O.	X			
John C. Clay, M.D.	X			
Virginia M. Crawford, M.D.	X			
S. Randall Easterling, M.D.	X			
C. Ken Lippincott, M.D.	X			
William S. Mayo, D.O.				X
Charles D. Miles, M.D..	X			
J. Ann Rea, M.D.	X			

With a motion by Dr. Chance, seconded by Dr. Easterling, the Board came out of Executive Session.


Virginia M. Crawford, M.D.
President

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE APPLICATION FOR LICENSURE

OF

SUDHIR NARAYAN PUJARI, M.D.

CONSENT ORDER

WHEREAS, SUDHIR NARAYAN PUJARI, M.D., hereinafter referred to as "Applicant," previously held Mississippi Medical License No. 18149, said license number expired on April 8, 2011, via voluntary surrender;

WHEREAS, the Investigative Staff of the Mississippi State Board of Medical Licensure, hereinafter referred to as the "Board," has conducted an investigation of Applicant and has in its possession evidence which, if produced during the course of an evidentiary hearing, would substantiate that Applicant has violated provisions of the Board's Administrative Code; is guilty of the use of any false, fraudulent or forged statement or document, or the use of any fraudulent, deceitful, dishonest or immoral practice in connection with any of the licensing requirements, including the signing in his professional capacity any certificate that is known to be false at the time he makes or signs such certificate; is guilty of failing to maintain a patient medical record which includes documentation of the diagnosis and reason for prescribing any controlled substance; and is guilty of unprofessional conduct, which includes being guilty of any dishonorable or unethical conduct likely to deceive, defraud or harm the public;

WHEREAS, the above conduct, if established before the Board, constitutes violations of the Mississippi Medical Practice Act, specifically, Subsections (8)(d), (8)(f) and (13) of § 73-25-29 and § 73-25-83(a), Miss. Code Ann. (1972), as amended, for which the Board may deny the issuance of a medical license to Applicant or take any other action as the Board may deem proper under the circumstances;

WHEREAS, it is the desire of Applicant to avoid an evidentiary hearing before the Board and, in lieu thereof, has agreed to enter into this Consent Order subject to the terms, conditions and restrictions as specified below;

NOW, THEREFORE, the Mississippi State Board of Medical Licensure with consent of Applicant as signified by his joinder herein, does hereby agree to withdraw all charges referenced above and places the matter of Applicant's application for licensure in abeyance for consideration at a later date, subject to the following terms and conditions, to-wit:

1. Applicant agrees to voluntarily submit to an intensive substance abuse, mental health and sexual boundary evaluation, said evaluation to be conducted at a facility approved in advance and in writing by the Board and the Mississippi Professionals Health Program (MPHP). In the event Applicant is found in need of treatment and/or monitoring, Applicant agrees to complete such treatment, affiliate with the MPHP and follow all recommendations required of him by the MPHP. Upon completion of the evaluation, any treatment as may be required and affiliation with the MPHP, Applicant shall then have the right, but not the obligation, to petition the Board for an appearance to obtain a new medical license, so as to permit his return to the practice of medicine. The petition shall be considered by the Board at the

first available meeting date following receipt of the petition. When considering such request, the Board shall consider the recommendations of the MPHP and Applicant's compliance with all other terms and restrictions set forth in this Consent Order. In the event the Board grants Applicant's request, thereby granting Applicant a Mississippi Medical License, the Board reserves the right in its sole and absolute discretion to impose any other terms and restrictions deemed necessary to protect the public.

2. Applicant shall attend and successfully complete Continuing Medical Education (CME) courses in the following areas: (i) medical ethics; (ii) proper medical record keeping; and (iii) the prescribing of controlled substances. The CME courses required herein shall be American Medical Association (AMA) approved Category I credits, said credits to be approved in advance by the Board. Any credit received for such courses shall be in addition to the usual forty (40) hours of Category I credits required by Board regulation. Applicant will be required to be on-site while taking any and all CME courses, as courses can not be taken on-line or by other means.
3. Applicant shall, due to Applicant not practicing medicine for over three (3) years and in accordance with the Board's Administrative Code, voluntarily submit to a professional physician assessment and/or clinical skills assessment at a Board approved facility to assure post-licensure competency. The report of this assessment(s) shall be made available to the Board for consideration of Applicant's application for licensure.
4. Applicant shall report in writing to the Board within fifteen (15) days should his

medical license in any state be subject to investigation or disciplinary action.

5. Applicant's medical practice shall be subject to periodic surveillance. The Board's Director, any member of the Board, or Investigator for the Board may perform an unannounced inspection of any clinic wherein Applicant practices, which may include a chart review of selected patient files.
6. Applicant shall obey all federal, state and local laws, and all rules and regulations governing the practice of medicine.
7. Should the Board hereafter receive documented evidence of Applicant violating any of the terms and conditions of this Consent Order, the Board shall have the right to deny Applicant's application for licensure or take any other action as deemed necessary by the Board.
8. Applicant shall reimburse the Board for all costs incurred in relation to the pending matter pursuant to Miss. Code Ann., § 73-25-30, said amount not to exceed \$10,000. Applicant shall be advised of the total assessment by separate written notification, and shall tender to the Board 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 the assessment is mailed to Applicant via U.S. Mail to Applicant's current mailing address.

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, Applicant authorizes the Board to review and examine any documentary evidence or material concerning the Applicant 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. Further, it is not the intent or purpose of this Order to encourage malpractice liability as a result of Board action. Therefore, by execution of this Consent Order, Applicant is not admitting to or acknowledging any conduct or act of malpractice.

Applicant 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. Applicant 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., § 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, **SUDHIR NARAYAN PUJARI, M.D.**, nevertheless, 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 withdrawing all charges referenced above and placing the matter of Applicant's application for licensure in abeyance for consideration at a later date, subject to those terms and conditions listed above.

Executed, this the 26th, day of August, 2014.



SUDHIR NARAYAN PUJARI, M.D.

ACCEPTED AND APPROVED, this the 4th, day of September, 2014, by the
Mississippi State Board of Medical Licensure.



Virginia M. Crawford, M.D.
BOARD PRESIDENT

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

OF

ANTHONY VERNON DALLAS, JR., M.D.

CONSENT ORDER

WHEREAS, ANTHONY VERNON DALLAS, JR., M.D., hereinafter referred to as "Licensee," is the current holder of Mississippi Medical License Number 21620, and said license is current until June 30, 2015;

WHEREAS, the Investigative Staff of the Mississippi State Board of Medical Licensure conducted a comprehensive investigation into the medical practice of Licensee in Forest, Mississippi, and the surrounding area, and has documented evidence indicating that Licensee has violated the rules and regulations of the Board, "Rules Pertaining to Prescribing, Administering and Dispensing of Medication;" is guilty of unprofessional conduct which includes being guilty of dishonorable or unethical conduct likely to deceive, defraud or harm the public; and has administered, dispensed or prescribed drugs having addiction-forming or addiction-sustaining liability otherwise than in the course of legitimate professional practice;

WHEREAS, such conduct is in violation of the Mississippi Medical Practice Act, specifically Mississippi Code Ann, Section 73-25-29(3), (8)(d), (13) and Section 73-25-83(a), as amended, for which the Mississippi State Board of Medical Licensure may place Licensee's medical license on probation, the terms of which may be set by the Board, suspend his right to practice medicine for a time deemed proper by the Board,

revoke said license, or take any other action the Board may deem proper under the circumstances;

WHEREAS, Licensee wishes to avoid an evidentiary hearing before the Mississippi State Board of Medical Licensure and, in lieu thereof, has consented to certain restrictions placed on his license to practice medicine in the State of Mississippi;

NOW, THEREFORE, the Mississippi State Board of Medical Licensure, with the consent of Licensee as signified by his joinder herein, does hereby suspend Licensee's Certificate (No. 21620) to practice medicine in the State of Mississippi for a period of three (3) months, subject to the following probationary terms and conditions, to-wit:

1. During the one (1) year probationary period, Licensee shall attend and successfully complete courses designated as American Medical Association approved, Category I Continuing Medical Education (CME) in the following areas: (i) proper prescribing of medications; and (ii) medical ethics; with said courses approved in advance by the Executive Director of the Board. Licensee shall attend in-person the approved structured courses as said courses will not be by correspondence, internet/remote access, or independent study. Following completion of these courses, Licensee shall submit to the Board documentary proof of successful completion. Any credits obtained pursuant this requirement shall be in addition to the biennial forty (40) hours of Category I CME credits as cited in Title 30, Part 2610, Chapter 2 of the Board's Administrative Code.
2. Licensee shall present himself to the Board's office, at a mutually agreed date and time, to take and successfully pass the Board's Juris Prudence Examination, based solely on his knowledge of the Board's Administrative

Code (formerly Rules and Regulations), without benefit of assistance of any physical, digital or other form or representation of the Administrative Code available for his access at the time Licensee sits for the Examination. Should Licensee not obtain a passing score on the Examination following a maximum of three (3) attempts, Licensee's certificate to practice medicine in Mississippi will be permanently suspended, until such time as the Board grants reinstatement of said license.

3. Licensee shall obey all federal, state and local laws, and shall comply with all rules and regulations of the Board governing the practice of medicine, including:

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 legend drug; the name, strength, dosage, quantity of the legend drug, number of refills authorized, and the date the legend drug was prescribed, dispensed or administered.

b) Licensee shall not delegate his authority to prescribe, dispense or administer medications to patients treated in Mississippi under his direction.

4. Licensee's practice of medicine shall be subject to periodic surveillance by the Mississippi State Board of Medical Licensure to monitor compliance with the rules and regulations of the Board as well as this Consent Order. The Board's Director, any member of the Board, or Investigative staff may

perform an unannounced inspection of any clinic wherein Licensee practices, which may include a chart review of selected patient files.

5. Licensee shall notify the Board within ten (10) days of any change in his practice location and/or change in employment, including initiation or termination of any practice location within the State of Mississippi.
6. Pursuant to Miss. Code Ann., Section 73-25-30, Licensee shall pay all such investigative costs as are allowed by law, with said amount not to exceed \$10,000. 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 date the assessment is mailed to Licensee via U.S. Mail.
7. The suspension of license shall remain in effect for a period of three (3) months upon formal acceptance by the Board. Licensee shall take and satisfactorily pass the Board's Jurisprudence Examination, and attend and successfully complete in-person attendance of the two (2) approved Continuing Medical Education requirements, within the one (1) year probationary period following the Board's acceptance of this Order. In the event Licensee fails to comply with any or all of the conditions imposed in this Consent Order, Licensee shall be prohibited from practicing medicine until such time as a determination is made by the Board that Licensee may 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. Violation of any

provision(s) of the Medical Practice Act, the Mississippi Controlled Substances Law, or the rules and regulations of the Board, or of any order, stipulation or agreement with the Board, shall be grounds for the non-issuance, suspension, revocation or restriction of a license or the denial of reinstatement or renewal of a license.

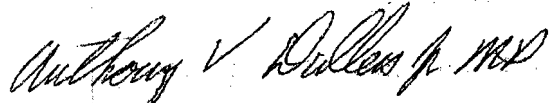
This Consent Order shall be subject to approval by the Board. If the Board fails to approve this Consent Order, in whole or in part, it shall have no force or effect on the parties. It is further understood and agreed that the purpose of this Consent Order is to avoid a hearing before the Board. In this 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 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 in any hearing or other resolution of the proceeding.

Acceptance and entry of this Consent Order shall constitute a full and complete resolution of all charges now pending against Licensee before the Board.

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 National Practitioner Data Bank and the U.S. Drug Enforcement Administration, and the Board makes no representation as to actions, 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 (1972), Ann, Sections 73-25-27 and 73-25-83, 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, ANTHONY VERNON DALLAS, JR., M.D., nonetheless, hereby waives his right to notice and a formal adjudication of charges and authorizes the Board to enter this Consent Order, thereby **suspending** his license to practice medicine in the State of Mississippi for a period of three (3) months from date of Board acceptance, subject to those terms and conditions enumerated above.

EXECUTED, this the 3RD day of September, 2014.



ANTHONY VERNON DALLAS, JR., M.D.

ACCEPTED AND APPROVED, this the 4th day of September
2014, by the Mississippi State Board of Medical Licensure.



Virginia M. Crawford, M.D.
Board President

**EXECUTIVE SESSION
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
SEPTEMBER 04, 2014**

AGENDA ITEM: Hearing in the case of Louie Franklin Hood, D.O.

In a motion made by Dr. Rea, seconded by Dr. Crawford, and carried the Board's motion is that Dr. Hood is found guilty of Count I and II as set out in the Summons and Affidavit. As a result, Dr. Hood's Mississippi medical license is revoked. If Dr. Hood desires to reapply for a MS license, he must obtain advocacy of MPHP. Dr. Hood has the right but not the obligation to reapply after 1 year.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Claude D. Brunson, M.D.	X			
Rickey L. Chance, D.O.	X			
John C. Clay, M.D.	X			
Virginia M. Crawford, M.D.	X			
S. Randall Easterling, M.D.	X			
C. Ken Lippincott, M.D.	X			
William S. Mayo, D.O.				X
Charles D. Miles, M.D..	X			
J. Ann Rea, M.D.	X			

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


Virginia M. Crawford, M.D.
President

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

OF

LOUIE FRANKLIN HOOD, D.O.

DETERMINATION AND ORDER

THIS MATTER came on regularly for hearing on September 4, 2014, before the Mississippi State Board of Medical Licensure (hereinafter "Board"), pursuant to Title 73, Chapter 25 of Mississippi Code (1972) Annotated. The Board initiated these proceedings on July 15, 2014, by issuance of a Summons and Affidavit against Louie Franklin Hood, D.O. (hereinafter "Licensee") setting forth two (2) counts of violation of Miss. Code Ann. Sections 73-25-29 and 73-25-83.

Licensee was present for the hearing without counsel. Complaint Counsel for the Board was Honorable Stan T. Ingram. Sitting as legal advisor to the Board was Honorable Ellen O'Neal, Assistant Attorney General. Board members present for all of the proceeding were, Virginia M. Crawford, M.D., President; Charles D. Miles, M.D.; S. Randall Easterling, M.D.; Claude D. Brunson, M.D.; Rickey L. Chance, D.O.; John Clay, M.D.; Ken Lippincott, M.D.; and Ann Rea, M.D. William S. Mayo, D.O. was absent from the proceeding.

Before commencement of the hearing, Ellen O'Neal, Assistant Attorney General, addressed Licensee regarding representation by legal counsel, wherein Licensee waived his right to counsel and requested that the hearing proceed as scheduled. The hearing then proceeded.

Based upon the evidence and testimony presented, the Board renders the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Licensee currently holds Mississippi Medical License Number 11865. While Licensee permitted his license to lapse by failure to renew the same after initiation of the disciplinary proceeding, the hearing proceeded due to Licensee's appearance and apparent interest in maintaining the same, as well as his right of licensure renewal as provided for by statute and the Board's rules and regulations.
2. On or about April 21, 2012, the Alabama Board of Medical Examiners received documents from the Superior Court of Gwinnett County Georgia, implicating Licensee in the commission of certain acts in violation of his Alabama medical license. Among the documents was a letter from Licensee on behalf of a criminal defendant and patient of Licensee, patient JH, who had entered a guilty plea to illegal possession of a controlled substance. Patient JH was charged with the offense when she was stopped by police for a traffic violation, and the controlled substance was found in the console of Patient JH's automobile during the search of her car. The controlled substances were medications contained in a prescription bottle with the name of another patient on the bottle. Licensee's letter on behalf of Patient JH explained that he had placed the medication in Patient JH console while on a social date with Patient JH, and he had simply forgotten to tell her that he had left it there for her to help treat the anxiety and panic attacks she had been experiencing.

Further investigation by the Alabama Board of Medical Examiners revealed that licensee and Patient JH were involved in an intimate relationship at the time he provided her the controlled substances, and that Licensee's relationship with Patient JH also violated the Alabama Board of Medical Examiners' policy relating to sexual

boundaries in the practice of medicine. Further investigation revealed other incidents of Licensee violating the Alabama Board of Medical Examiners' policies relating to sexual boundaries as well as the prescribing of controlled substances.

3. During the Alabama Board of Medical Examiners' investigation of Licensee, Licensee voluntarily and of his own volition sought a diagnostic assessment and psychosexual evaluation at an out-of-state facility in September, 2013. During this assessment and evaluation, additional facts and violations were confirmed in a report to the Alabama Board of Medical Examiners provided by the out-of-state facility. The facility's report documented a pattern of professional sexual misconduct "over the past 27 years" and recommended that Licensee should not practice as a physician at this time.
4. On September 25, 2013, the Alabama State Board of Medical Examiners, pursuant to the authority granted by Ala. Code Sections 34-24-361(f) and 41-22-19(d) (2007), ordered that the certificate to practice medicine or osteopathy issued to Licensee be immediately suspended. Licensee was ordered and directed to surrender the said certificate along with his Alabama controlled substances registration certificate and all controlled substances to an agent of the Medical Licensure Commission of Alabama. Licensee was ordered to immediately CEASE and DESIST from the practice of medicine or osteopathy in the State of Alabama until such time as the Administrative Complaint of the Alabama State Board of Medical Examiners is heard by the Commission and a decision rendered thereon.
5. On March 26, 2014, following an evidentiary hearing, Licensee's Alabama medical license was revoked by the Medical Licensure Commission of Alabama. The revocation was based upon findings of fact and conclusions of law, that Licensee

had violated Ala. Code § 34-24-360(1), (2), (8), (17), (23), and Commission Rule 545-X-.07. Specially, it was determined that Licensee had engaged in sexual misconduct with multiple patients as far back as 1987 with the most recent boundary violation occurring during 2012.

6. During September, 2013, Licensee received treatment for multiple disorders relating the sexual boundary and other mental health issues. The discharge summary was considered by the Alabama Board as well as this Board.

CONCLUSIONS OF LAW

Licensee is guilty of Count One as set forth in the summons and affidavit filed with the Board (Exhibit No. 2) by virtue of having his license, permit or certificate to practice medicine in another state or jurisdiction suspended, revoked or other restriction imposed thereon by such licensing authority which prevents or restricts practice in that jurisdiction, a certified copy of the disciplinary order or action taken by the other state or jurisdiction being prima facie evidence thereof, all in violation of Miss. Code Ann., Section 73-25-29(9), as amended.

Licensee is guilty of Count Two as set forth in the summons and affidavit filed with the Board (Exhibit No. 2) by virtue of conduct deemed unprofessional, which includes, but is not limited to being guilty of any dishonorable or unethical conduct likely to deceive, defraud or harm the public, all in violation of Miss. Code Ann., § 73-25-29(8)(d) and § 73-25-83(a).

ORDER

IT IS THEREFORE, ORDERED that based upon the Findings of Fact and Conclusions of Law enumerated above, that Mississippi Medical License No. 11865, duly issued to Louie Franklin Hood, D.O., is hereby revoked.

IT IS FURTHER ORDERED, that Licensee shall reimburse the Board for all costs incurred in relation to this matter pursuant to Miss. Code Ann. § 73-25-30, with said amount not to exceed \$10,000. Licensee shall be advised of the total assessment by separate notification, and shall tender to the Board a certified check or money order on or before forty (40) days from the date the assessment is mailed to Licensee via U.S. mail.

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 Louie Franklin Hood, D.O.

SO ORDERED, this the 4th day of September, 2014.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY:



VIRGINIA CRAWFORD, M.D, President

NOVEMBER 2014

**MINUTES
EXECUTIVE COMMITTEE MEETING
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
NOVEMBER 12, 2014**

MEMBERS PRESENT:

Virginia M. Crawford, M.D., Hattiesburg, President
William S. Mayo, D.O., Oxford, Vice President
Charles D. Miles, M.D., West Point, Secretary

ALSO PRESENT:

H. Vann Craig, M.D., Director
Stan T. Ingram, Complaint Counsel for the Board
Rhonda Freeman, Bureau Director, Licensure Division
Thomas Washington, Bureau Director, Investigative Division
Leslie Ross, Investigations Supervisor
Frances Carrillo, Special Projects Officer, Investigative Division
Jonathan Dalton, Investigator, Investigative Division
Sherry H. Pilgrim, Staff Officer

NOT PRESENT:

Ellen O'Neal, Assistant Attorney General

The Executive Committee of the Mississippi State Board of Medical Licensure met on Wednesday, November 12, 2014, at 1:05 p.m. in the Board Room of the Office of the Board located at 1867 Crane Ridge Drive, Jackson, Mississippi.

**PERSONAL APPEARANCE BY MICHAEL G. DULSKE, M.D., FLOWOOD,
MISSISSIPPI MEDICAL LICENSE NUMBER 13058 AND ERICA ENGER CROSS, PA,
OCEAN SPRINGS, LICENSE NUMBER PA 00189**

Dr. Craig advised that Dr. Dulske and PA Cross had been invited to appear at today's meeting to discuss why they worked without an approved protocol. Dr. Craig advised that PA Cross and Dr. Dulske no longer work together.

Dr. Dulske and PA Cross joined the meeting and were not represented by legal counsel. Dr. Dulske and PA Cross had executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

Dr. Craig asked them to advise the Board why they had a collaborative agreement but had worked without an approved protocol. Dr. Dulske stated that PA

EXECUTIVE COMMITTEE MINUTES

November 12, 2014

Page 2

Cross was always working directly under him and that they collaborated on every patient during her time at Capital Orthopedics. Dr. Dulske advised that his administrator handled the protocols and that they thought that everything was handled and that they were in compliance.

Following several questions from the Executive Committee, Dr. Crawford advised that the Committee will discuss the matter and make a recommendation to the Full Board on Thursday and advise them of their decision later.

After a brief discussion, motion was made by Dr. Mayo, seconded by Dr. Crawford and carried that Dr. Dulske and PA Cross be issued a Non-Public Letter of Concern. Dr. Dulske's letter is to address his lack of management of PA Cross and advise him that he needs to be aware of the Board's rules and regulations and strictly follow them in the future with any collaborative relationships. The Non-Public Letter of Concern to PA Cross is to advise her to follow all the Board's rules and regulations concerning collaborative relationships and to ensure that her protocol is handled properly.

OTHER BUSINESS

Dr. Craig advised that he has a matter to discuss with the Executive Committee that could result in possible adverse action on a licensee's license. Motion was made by Dr. Miles, seconded by Dr. Mayo and carried that the Executive Committee enter into Executive Session to discuss. Dr. Craig requested that Thomas Washington attend.

Following a motion by Dr. Miles, seconded by Dr. Mayo and carried the Executive Committee came out of Executive Session at which time Dr. Crawford asked Dr. Miles to report on their decision. Dr. Miles advised that the Executive Committee agreed that further investigation is required in the matter.

PERSONAL APPEARANCE BY JERRY N. GURLEY, M.D., TALLADEGA, AL, MISSISSIPPI MEDICAL LICENSE NUMBER 21240

Dr. Craig advised that Dr. Gurley lives in Talladega, AL, and had requested to appear to request a distance waiver in order to collaborate with an APRN in a jail in Lamar County.

Dr. Gurley and Johnny Bates, M.D., joined the meeting and were not represented by legal counsel. Dr. Gurley and Dr. Bates had executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

EXECUTIVE COMMITTEE MINUTES

November 12, 2014

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Dr. Gurley addressed the Executive Committee and thanked them for the opportunity to address the Board and introduced Dr. Johnny Bates. Dr. Bates has owned Quality Correctional Healthcare for ten (10) years and currently covers jails in Alabama, Tennessee, Georgia and Mississippi. Dr. Bates advised that he does not currently have a Mississippi license but will be applying. Dr. Gurley and Dr. Bates are requesting that an APRN residing in Jackson, MS, be allowed to work one (1) day a week, approximately four (4) hours at a facility they currently staff in Lamar county.

Following several questions from the Executive Committee, Dr. Crawford advised that they would discuss the matter further and make a recommendation to the Full Board on Thursday and then notify them of the Board's decision.

Motion was made by Dr. Mayo, seconded by Dr. Miles and carried that the Executive Committee enter into Executive Session to discuss a matter that could result in possible adverse action. Upon a motion by Dr. Miles, seconded by Dr. Mayo and carried the Executive Committee came out of Executive Session at which time Dr. Crawford asked Dr. Miles to report on their decision. Dr. Miles advised that in the matter of Dr. Gurley and the correctional facility request that the Executive Committee had unanimously agreed to deny the request due to the distance of the primary physician from the practice site and the distance of the backup physician from the practice site. Also, the APRN is not close enough and there is no remote health technology to offset the distance.

PERSONAL APPEARANCE BY RONNIE ALI, D.O., OCEAN SPRINGS, MISSISSIPPI MEDICAL LICENSE NUMBER 16596

Dr. Craig advised that Dr. Ali had been invited to the Executive Committee to address why he has been operating two (2) Free Standing Clinics that have not been approved by the Board for at least two (2) years, and the fact that he failed to show he had been arrested for domestic violence on his 2010 licensure renewal. Also, Dr. Ali has a weight loss clinic in D'Iberville and the Board has no record of where it is Board approved.

Dr. Ali joined the meeting and was not represented by legal counsel. Dr. Craig introduced Dr. Ali to the Executive Committee and advised the reasons the Board had invited him to appear. Dr. Ali had executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

Dr. Ali addressed the Executive Committee and advised that he has three (3) APRNs and advised which location each one practiced. Dr. Ali advised that he works approximately four (4) days a month in his clinics and other than that he works in the emergency room usually from 7 p.m. to 7 a.m. Dr. Ali advised that the clinics are

EXECUTIVE COMMITTEE MINUTES

November 12, 2014

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covered by multiple practitioners and that his office manager handles all the scheduling. When asked by the Board if he had the required 100 CME hours to operate a weight loss clinic, Dr. Ali advised that he didn't nor does he have a certificate from the Board for the weight loss clinic. Dr. Ali advised that he does write prescriptions for Phentermine in the weight loss clinic.

Following several questions from the Executive Committee, Dr. Crawford thanked him for appearing today and advised that they will make their recommendation to the Full Board on Thursday and advise. In the meantime, Dr. Ali was instructed to close the weight loss clinic until he meets all qualifications in the Board's rules and regulations, to apply for Free Standing Clinic status and seek Board approval, as well as submit a corrected licensure renewal to include his previous arrest.

Motion was made by Dr. Miles, seconded by Dr. Mayo and carried that the Board enter into Executive Session to discuss a matter which could result in possible adverse action.

Following a motion by Dr. Miles, seconded by Dr. Mayo, the Executive Committee came out of Executive Session at which time Dr. Crawford asked Dr. Miles to report on their decision. Dr. Miles said in the matter concerning Dr. Ali that the Executive Committee agreed that Dr. Ali needs to close the weight loss clinic until he meets the Board's rules and regulations, apply for Free Standing Clinic status in the other clinics and cease operation in those he has now until they are approved. Dr. Ali needs to clarify the primary and secondary collaborating physicians for each clinic at all times. Also, Dr. Ali was advised to submit a corrected 2015 renewal application to include the previous arrest for domestic violence and show the correct APRN information.

PERSONAL APPEARANCE BY PARVESH K. GOEL, M.D., CANTON, MISSISSIPPI MEDICAL LICENSE NUMBER 15405

Dr. Craig advised that Dr. Goel had been invited to the Executive Committee to discuss and clarify APRNs with whom he was collaborating. Dr. Craig advised that Dr. Goel had called and stated that he was no longer the primary on any APRNs that Dr. Reginald Rigsby was the primary. Dr. Craig advised when the Board was made aware of this that he advised Dr. Goel and Dr. Rigsby to appear today to discuss the matter.

Dr. Goel and Dr. Rigsby joined the meeting and were not represented by legal counsel. Dr. Craig introduced Dr. Goel and Dr. Rigsby to the Executive Committee and advised the reasons the Board had invited them to appear. Dr. Goel and Dr. Rigsby had executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

EXECUTIVE COMMITTEE MINUTES

November 12, 2014

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Dr. Goel advised that they currently have four (4) clinics and two (2) APRNs. The clinics are in Yazoo City, Gludstadt, Flowood and Canton. Dr. Craig advised Dr. Goel and Dr. Rigsby that the Board did not have Free Standing Clinic applications on the clinics that were over 15 miles away from the primary practice location. Dr. Goel and Dr. Rigsby were unaware that FSC status could not be transferred from one physician to another in the same clinic when the status of the mid-level providers changed.

Following several questions from the Executive Committee, motion was made by Dr. Mayo and seconded by Dr. Crawford that Dr. Rigsby needs to apply for the Free Standing Clinic status in his name for the clinics that are greater than 15 miles from the primary practice location.

PERSONAL APPEARANCE BY JAMES G. PETERS, M.D., LOUISVILLE, MISSISSIPPI MEDICAL LICENSE NUMBER 08788

Dr. Craig advised that Dr. Peters had sent a letter to the Board requesting a distance waiver for the APRNs of Main Street Medical and Louisville Medical Association to allow for physical exams to be done outside the 15 mile radius in the Louisville and Ackerman school districts and head-start programs.

Dr. Peters joined the meeting and was not represented by legal counsel. Dr. Craig introduced Dr. Peters to the Executive Committee. Dr. Peters had executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

Dr. Peters addressed the Executive Committee and discussed the two (2) clinics that they currently operate and explained how they are covered by the APRNs. Dr. Peters made the request to expand their services to schools in Ackerman and Koscuisko.

Following several questions from the Executive Committee, motion was made by Dr. Miles and seconded by Dr. Mayo that the Executive Committee enter into Executive Session to discuss a matter that could result in possible adverse action.

Following a motion by Dr. Miles, seconded by Dr. Mayo, the Executive Committee came out of Executive Session at which time Dr. Crawford asked Dr. Miles to report on the Committee's decision. Dr. Miles stated that in the matter of Dr. Peters that the Committee agreed that if he is interested in Free Standing Clinics in the Koscuisko and Ackerman school systems or head start that he should make application for Free Standing Clinics and submit to the Board for approval.

EXECUTIVE COMMITTEE MINUTES

November 12, 2014

Page 6

FOR INFORMATIONAL PURPOSES, DISCUSS PA KAUEIYAKUL-FOX WORKING AT THE VA FACILITY

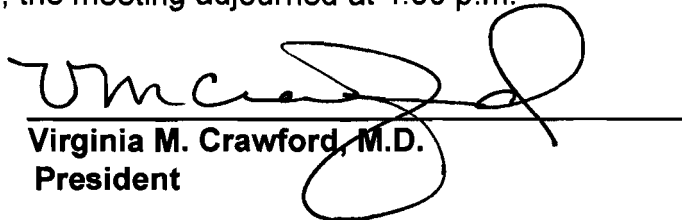
Dr. Craig advised that PA Fox was working at the VA and that the Board had received a letter from her supervising physician stating that Ms Fox will be practicing under Federal guidelines and does not want to participate in the supervision mandated by the state for PAs licensed in Mississippi. Dr. Craig advised that in a meeting with Joe Battle of the VA, that he was made aware of the fact that in a federal facility a PA only has to be certified by the National Commission on Certification of Physician Assistants (NCCPA) and does not require any state license.

REVIEW OF NOVEMBER 13, 2014, BOARD AGENDA

Dr. Craig briefly reviewed the agenda for tomorrow's meeting.

ADJOURNMENT

There being no further business, the meeting adjourned at 4:50 p.m.



Virginia M. Crawford, M.D.
President

Minutes taken and transcribed
by Sherry H. Pilgrim
Staff Officer
November 12, 2014

**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**

I, **Michael G. Dulske, M.D.**, have been asked to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss issues which may relate to my practice and possible the grounds, if any, for disciplinary action, and possible resolution of the same. 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 disciplinary action against my license.
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 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: _____)

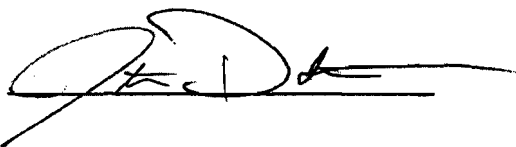
without legal counsel present

EXECUTED, this the 17 day of Nov., 2014.



LICENSEE

Witness:



**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**

I, **Erica Enger Cross, PA.**, have been asked to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss issues which may relate to my practice and possible the grounds, if any, for disciplinary action, and possible resolution of the same. 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 disciplinary action against my license.
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 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 12 day of November, 2014.

Erica Enger Cross
LICENSEE

Witness

Rossie Moad

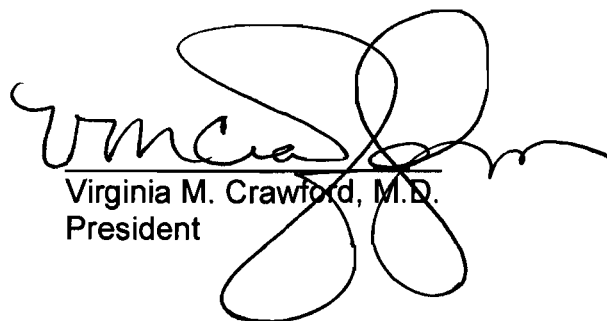
**EXECUTIVE SESSION - EXECUTIVE COMMITTEE
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
NOVEMBER 12, 2014**

AGENDA ITEM: Request from the Executive Director to go into Executive Session to discuss a matter that could result in possible adverse action on a licensee's license.

Motion was made by Dr. Miles, seconded by Dr. Mayo and carried to enter into Executive Session to discuss Dr. Craig's request. Motion was made by Dr. Miles, seconded by Dr. Mayo and carried that the Board needs to further investigate the matter.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Virginia M. Crawford, M.D.	X			
William S. Mayo, D.O.	X			
Charles S. Miles, M.D.	X			

With a motion by Dr. Miles, seconded by Dr. Mayo, the Executive Committee came out of Executive Session.


Virginia M. Crawford, M.D.
President

**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**

I, **Jerry N. Gurley, M.D.**, have been asked to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss issues which may relate to my practice and possible the grounds, if any, for disciplinary action, and possible resolution of the same. 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 disciplinary action against my license.
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 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 12 day of Nov, 2014.



LICENSEE

Witness: Jennifer Stucke

no doc

**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**

I, Johnny Bates, M.D., have been asked to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss issues which may relate to my practice and possible the grounds, if any, for disciplinary action, and possible resolution of the same. 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:

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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 12 day of November, 2014.

Johnny Bates
LICENSEE

Witness: Jennifer Stiden

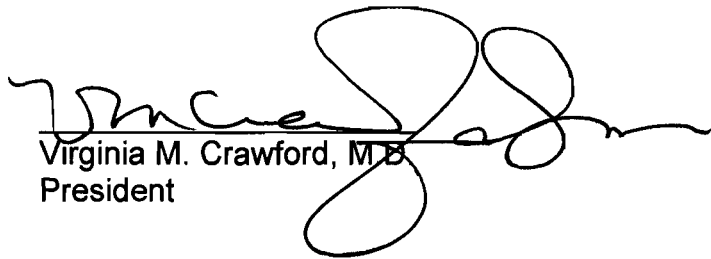
**EXECUTIVE SESSION - EXECUTIVE COMMITTEE
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
NOVEMBER 12, 2014**

AGENDA ITEM: Personal appearance by Jerry Gurley, M.D.

Motion was made by Dr. Mayo, seconded by Dr. Crawford and carried to deny the request due to distance of the primary physician from the practice site and distance of the backup physician from the practice site. Also, the APRN is not near enough and there is no remote health technology to offset the distance.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Virginia M. Crawford, M.D.	X			
William S. Mayo, D.O.	X			
Charles S. Miles, M.D.	X			

With a motion by Dr. Miles, seconded by Dr. Mayo, the Executive Committee came out of Executive Session.


Virginia M. Crawford, M.D.
President

**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**

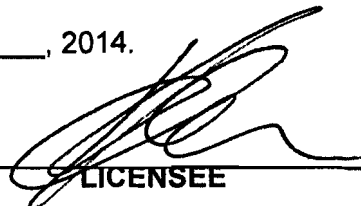
I, **Ronnie Ali, D.O.**, have been asked to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss issues which may relate to my practice and possible the grounds, if any, for disciplinary action, and possible resolution of the same. 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:

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2. I authorize the Committee Members to review and examine any statements, documentary evidence, or materials concerning the possible grounds for disciplinary action against my license.
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 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 12 day of April, 2014.



LICENSEE

Witness: Jennifer Stude

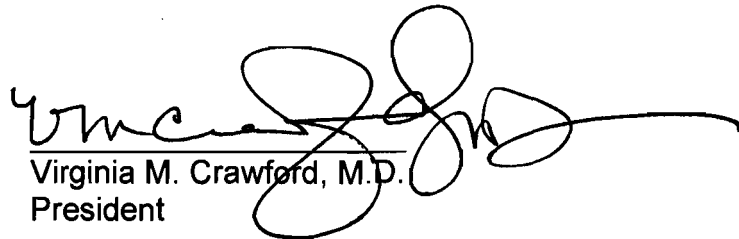
**EXECUTIVE SESSION - EXECUTIVE COMMITTEE
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
NOVEMBER 12, 2014**

AGENDA ITEM: Personal appearance by Ronnie Ali, D.O.

Motion was made by Dr. Mayo, seconded by Dr. Crawford and carried that Dr. Ali should close the weight loss clinic. Dr. Ali needs to apply for Free Standing Clinic/clinics and cease operation in those he has now until they are approved. Dr. Ali needs to clarify the primary and secondary collaborative physicians for each clinic at all times as well as correct his MSBML application for the renewal for 2015.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Virginia M. Crawford, M.D.	X			
William S. Mayo, D.O.	X			
Charles S. Miles, M.D.	X			

With a motion by Dr. Miles, seconded by Dr. Mayo, the Executive Committee came out of Executive Session.


Virginia M. Crawford, M.D.
President

**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**

I, **Parvesh K. Goel, M.D.**, have been asked to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss issues which may relate to my practice and possible the grounds, if any, for disciplinary action, and possible resolution of the same. 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:

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2. I authorize the Committee Members to review and examine any statements, documentary evidence, or materials concerning the possible grounds for disciplinary action against my license.
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 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: _____)

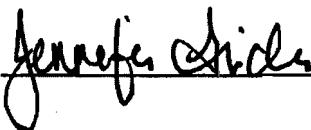
without legal counsel present

EXECUTED, this the 12 day of NOVEMBER, 2014.



LICENSEE

Witness:



**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**


I, **Reginald Rigsby, M.D.**, have been asked to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss issues which may relate to my practice and possible the grounds, if any, for disciplinary action, and possible resolution of the same. 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:

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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: _____)

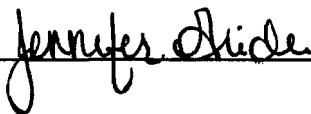
without legal counsel present

EXECUTED, this the 12 day of November, 2014.



LICENSEE

Witness: _____



**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**

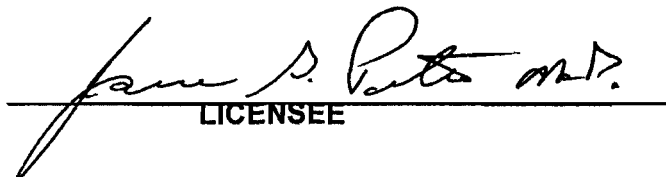
I, **James G. Peters, M.D.**, have been asked to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss issues which may relate to my practice and possible the grounds, if any, for disciplinary action, and possible resolution of the same. 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:

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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 12 day of November, 2014.



LICENSEE

Witness: Jennifer Alden

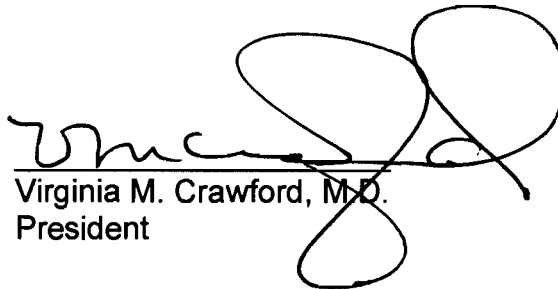
**EXECUTIVE SESSION - EXECUTIVE COMMITTEE
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
NOVEMBER 12, 2014**

AGENDA ITEM: Personal appearance by James G. Peters, M.D.

Motion was made by Dr. Crawford, seconded by Dr. Miles and carried that if Dr. Peters is interested in Free Standing Clinics in the Koscuisko and Eupora school systems or head start that he needs to process FSC applications.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Virginia M. Crawford, M.D.	X			
William S. Mayo, D.O.	X			
Charles S. Miles, M.D.	X			

With a motion by Dr. Miles, seconded by Dr. Mayo, the Executive Committee came out of Executive Session.


Virginia M. Crawford, M.D.
President

BOARD

MEETING

MINUTES

**BOARD MINUTES
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
NOVEMBER 13, 2014**

The regularly scheduled meeting of the Mississippi State Board of Medical Licensure was held on Thursday, November 13, 2014, in the Board Room of the Office of the Board located at 1867 Crane Ridge Drive, Jackson, Mississippi.

The following members were present:

Virginia M. Crawford, M.D., Hattiesburg, President
William S. Mayo, D.O., Oxford, Vice President
Charles D. Miles, M.D., West Point, Secretary
Claude D. Brunson, M.D., Jackson
Rickey L. Chance, D.O., Ocean Springs
John C. Clay, M.D., Meridian
S. Randall Easterling, M.D., Vicksburg
C. Kenneth Lippincott, M.D., Tupelo
J. Ann Rea, M.D., Summit

Also present:

H. Vann Craig, M.D., Director
Stan T. Ingram, Complaint Counsel for the Board
Rhonda Freeman, Bureau Director, Licensure Division
Thomas Washington, Bureau Director, Investigative Division
Leslie Ross, Investigations Supervisor
Frances Carrillo, Special Projects Officer, Investigative Division
Sherry H. Pilgrim, Staff Officer
Wesley Breland, Hattiesburg, Consumer Health Committee
Charles Thomas, Yazoo City, Consumer Health Committee
Maj Gen (Ret) Erik Hearon, Consumer Health Committee

Not present:

Ellen O'Neal, Assistant Attorney General

The meeting was called to order at 9:00 a.m. by Dr. Crawford, President. The invocation was given by Dr. Mayo and the pledge was led by Mr. Hearon. Dr. Crawford extended a welcome to all visitors present at today's meeting.

Dr. Crawford opened the floor for public comments but there were none.

BOARD MINUTES
November 13, 2014
Page 2

APPROVAL OF CERTIFICATION OF MISSISSIPPI LICENSES TO OTHER ENTITIES FOR THE PERIOD AUGUST 01, 2014, THROUGH OCTOBER 31, 2014

Four hundred nine (409) licenses were certified to other entities for the period August 01, 2014, through October 31, 2014. Motion was made by Dr. Easterling, seconded by Dr. Mayo, and carried unanimously to approve these certifications.

APPROVAL OF LICENSES ISSUED FOR THE PERIOD AUGUST 01, 2014, THROUGH OCTOBER 31, 2014

One hundred sixty-four (164) licenses were issued for the period August 01, 2014, through October 31, 2014. Motion was made by Dr. Chance, seconded by Dr. Miles, and carried unanimously to approve these licenses.

REVIEW OF MINUTES OF THE EXECUTIVE COMMITTEE MEETING DATED SEPTEMBER 03, 2014, AND MINUTES OF THE BOARD MEETING DATED SEPTEMBER 04, 2014

Minutes of the Executive Committee Meeting dated September 03, 2014, and Minutes of the Board Meeting dated September 04, 2014, were reviewed. Dr. Mayo moved for approval of the minutes as submitted. Dr. Easterling seconded the motion and it carried unanimously.

REPORT OF NOVEMBER 12, 2014, EXECUTIVE COMMITTEE MEETING

Dr. Craig briefly discussed issues/appearances that were discussed by the Executive Committee on November 12, 2014. Information pertaining to the Executive Committee's decisions/recommendations is included in the Executive Committee Minutes dated November 12, 2014.

REPORTS FROM COMMITTEES

Scope of Practice - Dr. Easterling (Chair), Dr. Chance, Dr. Miles, Dr. Rea
Mr. Thomas

Dr. Easterling proposed adding a Collaboration Review Panel made up of Dr. Miles, Dr. Craig, Jonathan Dalton, and himself to review and streamline the process of Free Standing Clinic applications. Motion was made by Dr. Mayo, seconded by Dr. Clay, and carried unanimously to add a Collaboration Review Panel.

BOARD MINUTES
November 13, 2014
Page 3

Professionals Health Program - Dr. Chance (Chair), Dr. Lippincott, Dr. Crawford

Dr. Chance advised that the Medical Board has been involved with the Prescription Monitoring Program and new software that will be available.

**Rules, Regulation & Legislative - Dr. Mayo (Chair), Dr. Easterling, Dr. Miles,
Dr. Clay, Mr. Breland**

Dr. Mayo advised that the Committee met this morning to work on a definition for an Administrative Medical License and will have additional information and discussion at the next meeting.

**Telemedicine / Interstate Licensure Compact - Dr. Brunson (Chair), Dr. Crawford,
Dr. Craig, Ms. Freeman, Maj Gen (Retired) Hearon**

Dr. Brunson advised that the Committee met this morning and are working on a draft update and looking at what other states are doing. More information will be forthcoming.

**Licensees Education and Communication - Dr. Easterling (Chair), Dr. Chance,
Dr. Crawford, Dr. Rea, Ms. Freeman**

Dr. Easterling advised there was no new information to report.

**PRESENTATION BY JERUSHA D. STEPHENS, LAC, CHAIR OF THE MISSISSIPPI
COUNCIL OF ADVISORS IN ACUPUNCTURE**

Dr. Craig introduced Jerusha Stephens, Chair of the Mississippi Council of Advisors in Acupuncture and Mina S. Larson, Deputy Director of the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM). Dr. Craig advised that Ms. Stephens had requested time to discuss removing the required written referral from a medical doctor before a patient receives acupuncture.

Ms. Stephens and Ms. Larson presented an informative presentation concerning the mission and core values of an acupuncturist. Ms. Larson covered the accreditation of NCCAOM's certification programs and the standards that they must meet to remain certified.

Following several questions from the Board members, Dr. Crawford thanked them for appearing and presenting the information to the Board members.

THE BOARD RECESSED AT 10:05 A.M. AND RECONVENED AT 10:15 A.M.

**HEARING IN THE CASE OF DEREK SLOANE CANNON, M.D., PHILADELPHIA,
MISSISSIPPI MEDICAL LICENSE NUMBER 22691**

Stan Ingram, Complaint Counsel for the Board, advised that Rebecca Wiggs, Counsel for Dr. Cannon, was here today representing Dr. Cannon in his absence. Mr. Ingram advised that the Board's Rules of Procedure allow for an Informal Settlement Conference which was held last week. Mr. Ingram briefly covered the Summons and Affidavit and advised that Dr. Cannon has entered into a one (1) year surgery critical care fellowship in South Alabama.

Mr. Ingram briefly covered the Non-Public Letter of Concern that is being proposed for discussion. Mr. Ingram advised that by handling the matter this way would allow Dr. Cannon to continue his endeavor of becoming board certified.

Following questions from several Board members, motion was made by Dr. Mayo to accept the Non-Public Letter of Concern but adding a statement that Dr. Cannon would devote 100% of his clinical practice time to the fellowship. Dr. Miles seconded the motion and it carried unanimously.

**PRESENTATION BY JOHN R. MITCHELL, M.D., TUPELO, MISSISSIPPI MEDICAL
LICENSE NUMBER 11389, DIRECTOR OFFICE OF MISSISSIPPI PHYSICIAN
WORKFORCE**

Dr. Mitchell was unable to attend today's meeting but was represented by Cheryl Hamill, Dr. Mitchell's assistant, and Denise Krause, PhD, Associate Director, Technology & Research, Office of Mississippi Physician Workforce.

Dr. Craig introduced Ms. Hamill and Dr. Krause and they provided the Board an informative presentation on how they are using data supplied by the Board in their office. They demonstrated what they could do with the data provided and what they currently are unable to do with the Board's data as currently provided and offered several suggestions.

Following several questions from Board members, Dr. Crawford thanked them for coming and providing the Board with an update on their program.

**PERSONAL APPEARANCE BY SHARON COLLINS, M.D., TYLERTOWN,
MISSISSIPPI MEDICAL LICENSE NUMBER 12466, REQUEST RESTRICTIONS ON
LICENSE BE LIFTED**

Stan Ingram, Complaint Counsel for the Board, advised that Dr. Collins was here today without counsel and introduced Dr. Collins to the Board. Mr. Ingram briefly

BOARD MINUTES
November 13, 2014
Page 5

covered Dr. Collins' Consent Order dated November 13, 2013, and provided the Board with a brief background. Mr. Ingram advised that Dr. Collins had served a 90 day suspension and had complied with all the terms and conditions listed in the Consent Order.

Dr. Collins addressed the Board and thanked them for the opportunity to appear and made the request that the Board lift all the restrictions currently placed on her Mississippi medical license. Dr. Collins advised that she has no chronic pain management patients and answered several questions from the Board members.

Motion was made by Dr. Mayo, seconded by Dr. Easterling, and carried unanimously to lift the restrictions on her license since she had met all the Board's requirements. A copy of the Order Removing All Restrictions is attached hereto and incorporated by reference.

THE BOARD RECESSED FOR LUNCH AT 11:40 A.M. AND RECONVENED AT 12:30 P.M.

**PERSONAL APPEARANCE BY J. B. FRANKLIN, M.D., GULFPORT, MISSISSIPPI
MEDICAL LICENSE NUMBER 09110**

Dr. Craig advised that Dr. Franklin had requested to appear before the Board to request a waiver for Gulf Coast Ministries which is a free clinic. Dr. Franklin's request was concerning the email regarding the Board's regulation governing physician dispensing of medication.

Dr. Franklin joined the meeting and was not represented by legal counsel. Dr. Franklin provided the Board members with a handout providing the staff and coverage for the clinic. Dr. Franklin stated that he is the founder of the free clinic and that it is open 6 ½ days a month and provides free services. Dr. Franklin stated that patients are given a one (1) month supply of medication but that he is not the one dispensing. Dr. Franklin advised this is currently handled by an RN, a retired EMT, and a Pharmacy Tech. Dr. Franklin said if he has to be the one dispensing then that will take away from the number of patients that he is able to see.

Following a brief discussion and several questions from Board members, the Board advised that the current regulations do not allow the physician to delegate dispensing to anyone. Dr. Craig has a meeting with the Pharmacy Board next week and he will explore options and advise.

**HEARING IN THE CASE OF BENJAMIN FRANKLIN SANFORD, M.D., STARKVILLE,
MISSISSIPPI MEDICAL LICENSE NUMBER 08043**

Stan Ingram, Complaint Counsel for the Board, advised that Dr. Sanford nor his attorney were present today but that they had sent a motion for a Continuance until the January 2015 Board meeting.

Motion was made by Dr. Miles, seconded by Dr. Brunson, and carried to grant the Continuance until the January 15, 2015, Board meeting. A copy of the Order of Continuance is attached hereto and incorporated by reference.

**FOR INFORMATIONAL PURPOSES, MICHAEL JOHN GANDOUR, M.D.,
GULFPORT, MISSISSIPPI MEDICAL LICENSE NUMBER 10925, VOLUNTARY
SURRENDER**

For informational purposes only, Dr. Craig advised that Dr. Gandour has signed a non-reportable Surrender. A copy of the voluntary surrender is attached hereto and incorporated by reference.

**FOR INFORMATIONAL PURPOSES, PATRICIA ANN PAYNE, M.D., GREENVILLE,
MISSISSIPPI MEDICAL LICENSE NUMBER 06452, VOLUNTARY SURRENDER**

For informational purposes, Dr. Craig advised that Dr. Payne has voluntarily surrendered her Mississippi medical license. A copy of the voluntary surrender is attached hereto and incorporated by reference.

**FOR INFORMATIONAL PURPOSES, DAVID ZIMMY LEVINE, D.O., CLARKSDALE,
MISSISSIPPI MEDICAL LICENSE NUMBER 22695, ORDER OF PROHIBITION**

For informational purposes, Dr. Craig advised that Dr. Levine had been served with an Order of Prohibition. A copy of the Order of Prohibition is attached hereto and incorporated by reference.

**FOR INFORMATIONAL PURPOSES, HAROLD DAVID SIMMONS, M.D.,
BATESVILLE, MISSISSIPPI MEDICAL LICENSE NUMBER 11777, ORDER OF
PROHIBITION**

For informational purposes, Dr. Craig advised that Dr. Simmons had been served with an Order of Prohibition. A copy of the Order of Prohibition is attached hereto and incorporated by reference.

**PROPOSED REGULATION CHANGES TO TITLE 30, PART 2601, CHAPTERS 1 & 2,
AND PART 2605, CHAPTERS 1 - 5, CONCERNING PROFESSIONAL LICENSURE**

Dr. Craig briefly covered the proposed changes to the regulation concerning professional licensure. Motion was made by Dr. Crawford, seconded by Dr. Mayo, and carried that the proposed regulation be referred to the Rules, Regulation and Legislative Committee for review. A copy of the proposed regulation is attached hereto and incorporated by reference.

**FOR INFORMATIONAL PURPOSES, COPY OF EMAIL SENT TO ALL PHYSICIANS
CONCERNING DISPENSING OF MEDICATION**

For informational purposes, Dr. Craig provided a copy of the email that was sent to all physicians concerning dispensing of medication. A copy of the email is attached hereto and incorporated by reference.

**UPDATE ON COMPREHENSIVE PAIN SPECIALISTS (CPS) FROM DECISION AT
THE SEPTEMBER 04, 2014, BOARD MEETING**

Julie Mitchell and Philip Chapman attorneys for Comprehensive Pain Specialists (CPS) were present to provide the Board with an update. Ms. Mitchell discussed the reorganization and financial breakdown that had taken place since the last Board meeting. With the new breakdown, only two (2) physicians will have to be licensed and they will be Dr. Muench and Dr. Kroll. Dr. Muench is licensed and Dr. Kroll is scheduled for the Juris Prudence on November 17th.

Dr. Craig discussed a phone call from one of the facilities concerning using battery packs instead of generators for Level II Office Based Surgeries. After a brief discussion on how generators versus battery packs operate, Ms. Mitchell was asked to check with CPS and advise the Board before a decision would be made.

MR. BRELAND EXITED THE MEETING AT 1:30 P.M.

**EXAMINING COMMITTEE'S FINAL REPORT FOR THE BOARD'S REVIEW AND
APPROVAL**

Dr. Craig briefly covered the Examining Committee's Final Report on a licensed physician. Motion was made by Dr. Mayo, seconded by Dr. Easterling, and carried unanimously that the Board accept the Examining Committee's decision.

OTHER BUSINESS

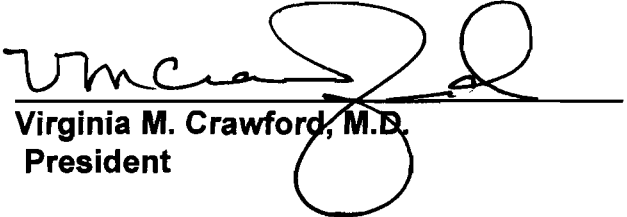
UPDATE FROM ROBERT GALLI, M.D., UNIVERSITY OF MISSISSIPPI MEDICAL CENTER, TELEMERGENCY PROGRAM DIRECTOR

Dr. Galli provided the Board with an update on UMC's telemergency program and advised that what started as a pilot program has now been providing service for eleven (11) years. Dr. Galli discussed changes in the program and advised that the Advanced Practice Registered Nurses (APRNs) working with the program are certified by the University.

Following several questions, Dr. Crawford thanked Dr. Galli for providing the Board with an update.

ADJOURNMENT

There being no further business, the meeting adjourned at 1:50 p.m., with the next meeting scheduled for Thursday, January 15, 2015.



Virginia M. Crawford, M.D.
President

Minutes taken and transcribed
by Sherry H. Pilgrim
Staff Officer
November 13, 2014

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

OF

SHARON JOENELLE COLLINS, M.D.

ORDER REMOVING ALL RESTRICTIONS

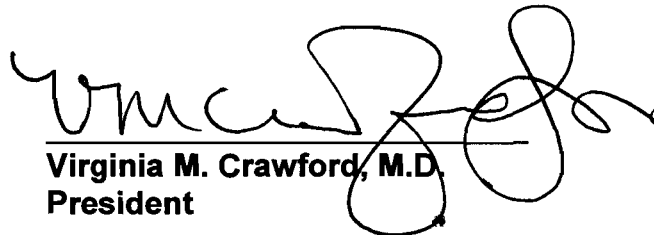
THIS MATTER came on regularly for consideration on November 13, 2014, before the Mississippi State Board of Medical Licensure, in response to the request of Sharon Joenelle Collins, M.D., (hereinafter "Licensee"), seeking removal of all restrictions imposed on her Mississippi medical license by virtue of that certain Consent Order dated November 13, 2013. 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 Sharon Joenelle Collins, M.D.

ORDERED, this the 13th day of November, 2014.

Mississippi State Board of Medical Licensure


Virginia M. Crawford, M.D.
President

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

OF

BENJAMIN FRANKLIN SANFORD, M.D.

ORDER OF CONTINUANCE

THIS MATTER came on regularly for hearing on November 13, 2014, before the Mississippi State Board of Medical Licensure in response to a request for continuance of the hearing set for this date filed by Benjamin Franklin Sanford, M.D. (hereinafter "Licensee") through his attorney, Tommie S. Cardin. After consideration of the matter, the Board finds Licensee's motion to be well taken.

IT IS, THEREFORE, ORDERED, that this matter is continued until January 15, 2015.

ORDERED, this the 13th day of November, 2014.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY:



**VIRGINIA M. CRAWFORD, M.D.
PRESIDENT**

SURRENDER OF MEDICAL LICENSE

To: H. Vann Craig, M.D.
Executive Director
Mississippi State Board of Medical Licensure

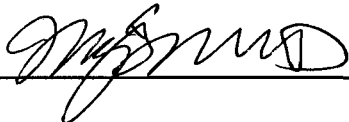
WHEREAS, I, MICHAEL JOHN GANDOUR, M.D., am the holder of License Number 10925, issued on December 09, 1985 to practice medicine in the State of Mississippi;

WHEREAS, It is my wish to surrender my current license (No. 10925) to practice medicine in the State of Mississippi so that I may retire with a clear and unencumbered license;

THEREFORE, I hereby voluntarily surrender medical license (No. 10925) to practice medicine in the State of Mississippi, said surrender effective the 12th day of September 2014.

I understand that this is a voluntary surrender, and as such, is not a reportable disciplinary action, but is a public record of the State of Mississippi. 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 any and all information now or which it may later obtain as part of the consideration of any application.

EXECUTED this the 12th day of September, 2014.



MICHAEL JOHN GANDOUR, M.D.

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE

OF

PATRICIA ANN PAYNE, M.D.

SURRENDER OF MEDICAL LICENSE

WHEREAS, PATRICIA ANN PAYNE, M.D., hereinafter referred to as "Licensee," is the current holder of License Number 06452, issued on June 7, 1972, to practice medicine in the State of Mississippi;

WHEREAS, It is my wish to surrender my current license (No. 06452) to practice medicine in the State of Mississippi until such time as I can return to the safe practice of medicine;

NOW, THEREFORE, I hereby voluntarily surrender my medical license (No. 06452) to practice medicine in the State of Mississippi. I understand that this is an unconditional surrender, is reportable as disciplinary action to the National Practitioner Data Bank, and is a public record of the State of Mississippi. Further, I understand that in the event I later decide to practice medicine in the State of Mississippi, 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, as part of the consideration of any application.

EXECUTED this the 29 day of September, 2014.

Patricia Ann Payne M.D.
PATRICIA ANN PAYNE, M.D.

ACCEPTED AND APPROVED this the 1st day of October 2014 by the Mississippi State Board of Medical Licensure.

H. Vann Craig M.D.
H. Vann Craig, M.D., Executive Director
Mississippi State Board of Medical Licensure

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE

OF

DAVID ZIMMY LEVINE, D.O.

ORDER OF PROHIBITION

WHEREAS, David Zimmy Levine, D.O., hereinafter referred to as "Licensee", was issued Medical License Number 22695 on July 01, 2013, by the Mississippi State Board of Medical Licensure (hereinafter "Board") to practice medicine in the State of Mississippi, said license valid until June 30, 2015;

WHEREAS, on May 16, 2013, Licensee presented before the Board for a Show Cause Hearing to address why his application for a license to practice medicine in the State of Mississippi should not be denied. The Show Cause Hearing was ordered due to Licensee having his medical license suspended by a licensing authority of another state which prevents or restricts his practice of medicine in that state; guilty of obtaining or attempting to obtain a license by fraud or deception; the use of any false, fraudulent or forged statement or document or the use of any fraudulent, deceitful, dishonest or immoral practice in connection with any of the licensing requirements, including signing in his professional capacity any certificate that is known to be false at the time he makes or sign such certificate; and unprofessional conduct, including but not limited to, any dishonorable or unethical conduct likely to deceive, defraud or harm the public. The board granted licensee a license to practice medicine in Mississippi. Licensee subsequently entered into a five (5) year monitoring Recovery Contract Agreement (RCA) with the Mississippi Professionals Health Program (MPHP) and the Board.

WHEREAS, the Mississippi Professional Health Committee (MPHC) recommended that Licensee successfully complete treatment at the Professional Enhancement Program (PEP) at the Pine Grove Behavioral Health and Addiction Service in Hattiesburg, Mississippi, because of personality related problems. Licensee entered PEP on March 11, 2013 and successfully completed treatment on April 22, 2013. PEP discharged Licensee with recommendations included pursuing work in an institutional setting.

WHEREAS, on May 12, 2014, Licensee met with MPHC to discuss the PEP recommendations and, thereafter, entered into an Addendum to the May 2014, RCA. The terms of Addendum to the May 2014, RCA was extended for the life of Licensee's medical practice in the State of Mississippi.

WHEREAS, after said May, 2014 Addendum RCA was executed, Licensee continued to display traits of non-compliance by failing to call-in for random drug screening on July 17, 2014, and September 26, 2014.

WHEREAS, paragraph 18 of the May 12, 2013 RCA stated in part that,

"...I understand that any breach of this contract will be grounds for reevaluation by the MPHP with an immediate report to the MSBML. In the event I should relapse or fail to comply with the terms and conditions of the Agreement, the MSBML shall have the authority, with recommendation of the MPHC, to immediately prohibit me from practicing medicine. In doing so, the MSBML and MPHP may require me to undergo further evaluation."

WHEREAS, paragraph 2-A of the Addendum to the May 12, 2014 RCA states in part,

"...I agree to maintain a monitoring agreement with MPHP to include random drug and alcohol screens, monitoring of 12-step meeting

attendance and participation in aftercare therapies (to include outpatient, individual and group therapy)";

WHEREAS, on September 26, 2014, the Board received a letter from MPHPC, advising that MPHPC had withdrawn advocacy for the Licensee, effective immediately based on issues related to non-compliance with his RCA."

NOW, THEREFORE, IT IS HEREBY ORDERED that Licensee be immediately prohibited from practicing medicine until such time as he undergoes a complete evaluation for impairment by a treatment facility approved by the Mississippi State Board of Medical Licensure, and thereafter is found capable of returning to the practice of medicine by the Mississippi State Board of Medical Licensure.

IT IS FURTHER ORDERED, that a copy of this order shall be sent by registered mail or personally served upon David Jimmy Levine, D.O., and shall be effective immediately upon receipt thereof.

ORDERED, this the 21st day of October, 2014.

By:



H. Vann Craig, M.D.

Executive Director

Mississippi State Board of Medical Licensure

I, Mickey Boyette, Investigator of the Mississippi State Board of Medical Licensure, did personally serve an original copy of this Order of Prohibition to David Jimmy Levine, M.D., on October 22, 2014, at 10:36 a.m.


Mickey Boyette

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE

OF

HAROLD DAVID SIMMONS, M.D.

ORDER OF PROHIBITION

WHEREAS, Harold David Simmons, M.D., hereinafter referred to as "Licensee," currently holds Mississippi Medical License Number 11777, said number valid until June 30, 2015;

WHEREAS, on April 14, 2014, Licensee entered into his fifth (5th) Recovery Contract Agreement (RCA) with the Mississippi Professionals Health Program (MPHP) and the Mississippi State Board of Medical Licensure (MSBML or Board), setting forth certain requirements for Licensee to insure his continued safe practice of medicine as personal health care concerns are addressed, including but not limited to, medication monitoring, monitoring of his medical practice, and obtaining approved treating physicians with reports to MPHP.

Paragraph 22 of the RCA then provides, in part:

Breach of Contract and/or Relapse. *I understand that ANY breach of this contract will be grounds for re-evaluation by the MPHP with an immediate report to the MSBML.*

In the event I should relapse or fail to comply with any of the conditions of this agreement, the MSBML shall have the authority, with recommendation from the MPHP/MPHC, to immediately prohibit me from practicing medicine until such time as the MSBML and MPHP determine that I am able to return to the practice of medicine. In so doing, the MSBML and MPHP may require I undergo further evaluation at an approved facility.

WHEREAS, on or about May 29, 2014, Licensee signed an addendum to the April 14, 2014, Recovery Contract Agreement to include professional conduct and sexual relationships, additional monitoring, computer monitoring, appropriate boundaries, chaperones, and additional workplace recommendations until such time as Licensee personally appear before MPHC of the MPHP for the purpose of discussing the status of his compliance and/or recovery, including extension, renewal, or discharge from this contract.

WHEREAS, the Board now has in its possession documentation and other evidence indicating that Licensee has violated and continues to be in violation of the terms and conditions set forth in the September 18, 2014 Recovery Contract Agreement, said facts and matters more particularly set forth by Affidavit of Andrew Pitts, attached hereto as Exhibit "A" and incorporated herein by reference;

WHEREAS, the Board may impose restriction, suspension or revocation of a license pursuant to Miss. Code Ann., Section 73-25-29(13), "Violation of any provision(s) of the Medical Practice Act, the rules and regulations of the board, or of any order, stipulation or agreement with the Board", as a result of Licensee's failure to fully comply with the May 29, 2014, Addendum to his Recovery Contract Agreement of April 2014;

WHEREAS, the Mississippi State Board of Medical Licensure has the authority pursuant to the terms of the RCA and pursuant to Miss. Code Ann. Section 73-25-29 (13), to prohibit Licensee from practicing medicine until such time as the Board and MPHP determine that Licensee is able to safely return to the practice of medicine;

NOW, THEREFORE, IT IS HEREBY ORDERED, that pursuant to authority granted in Miss. Code Ann. Section 73-25-89, Licensee shall be prohibited from the practice of medicine until such time as the Board and MPHP determine that Licensee is able to safely return to the practice of medicine.

IT IS FURTHER ORDERED, that a copy of this Order shall be sent by registered mail or personally served upon Harold David Simmons, M.D., and shall be effective immediately upon receipt thereof.

ORDERED this the 6TH day of November, 2014.



H. Vann Craig, M.D., Executive Director
Mississippi State Board of Medical Licensure

AFFIDAVIT

STATE OF MISSISSIPPI


COUNTY OF HINDS

I, Andrew Pitts, Investigator, Mississippi State Board of Medical Licensure, do hereby make oath and that I have reason to believe and do believe, that the following is a summary of the underlying facts and circumstances substantiating the failure of Harold David Simmons, M.D., to comply with Mississippi Professionals Health Program (MPHP) Recovery Contract Agreement (RCA),

1. Harold David Simmons, M.D., hereinafter referred to as "Licensee," was issued Mississippi Licensee Number 11777 by the Mississippi State Board of Medical Licensure, hereinafter referred to as the "Board," on July 01, 1988, said license is valid until June 30, 2015.
2. April 14, 2014 Licensee enters into his third (3) Recovery Contract Agreement with MPHP.
3. September 18, 2014, Leah Claire Bennet, PHD, of the Pine Grove Behavioral Health & Addiction Services (PGBH) , reported to Mississippi Physicians Health Program (MPHP) that Licensee failed to meet his obligations in the Professional Enhancement Program and was discharged from the program for a list of ongoing violations:
4. Licensee was administered and failed multiple polygraph examinations. Licensee was determined to be dishonest. Licensee continued to be dishonest with his out patient treatment team. Licensee's deception was centered around a relationship with mothers/grandmothers of some of his patients. Licensee was confronted with the dangers of boundary violations, yet continued to have a sexual relationships.
5. It was determined through polygraph examination that, Licensee continued to violate patients/mothers within his work setting, even with a chaperone present. Licensee was asked to stop practicing medicine for one year. Following the completion of a one year hiatus, Licensee was reevaluated and cleared to return to work, with recommendation not to have outside relationships with patient family members.
6. February 01, 2013, Licensee was asked by the MPHP to go for a full evaluation at Acuman screening services, when he was unable to follow PHP guidelines of daily drug scene call-ins. Licensee missed five (5) call-ins.

7. PGBH reported Licensee was again determined to be dishonest when he failed a polygraph, where it was determined Licensee was having relationships with former patient family members. Licensee failed to follow recommendations, but also lied to the outpatient psychiatrist about his actions. PGBH reported Licensee having a pattern of deception and not following treatment guidelines to be a significant issue for Licensee. Licensee's history of noncompliance and ongoing violations of patients is of great concern to the Professional Enhancement Program staff. PGBH recommends Licensee no longer practice medicine. Licensee is clearly a danger to the public and no longer safe to practice medicine

8. September 23, 2014, Scott Hambleton, M.D., Medical Director of MPHP, informed Mississippi State Board of Medical Licensure (MSBML), licensee has failed to meet his obligations as set forth in the RCA, and has withdrawn advocacy for Licensee.

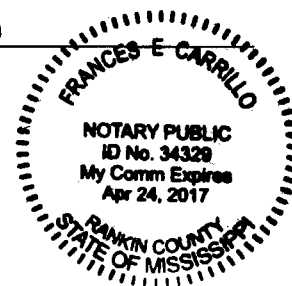


Andrew Pitts, Investigator
Mississippi State Board of Medical Licensure

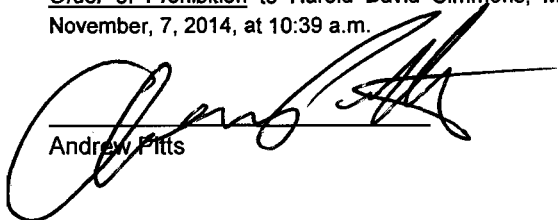
Sworn to and subscribed before me, this the 6th day of November 2014.



Notary Public



I, Andrew Pitts, Investigator of the Mississippi State Board of Medical Licensure, did personally serve an original copy of this Order of Prohibition to Harold David Simmons, M.D., on November, 7, 2014, at 10:39 a.m.



Andrew Pitts



Mississippi State Board of Medical Licensure

Administrative Code



November 2013

TITLE 30: PROFESSIONS AND OCCUPATIONS

Part 2601: ~~Licensure and Examinations~~ Professional Licensure

Part 2601 Chapter 1: Licensure Rules Governing the Practice of ~~Medical Doctors~~ Allopathic Physicians, Osteopathic Physicians, and Podiatrists, Physician Assistants, Radiologist Assistants and Acupuncturists

Rule 1.1 Scope. These rules apply to all applicants for licensure to practice medicine, osteopathic medicine, ~~or podiatric medicine,~~ or acupuncture in the state of Mississippi ~~whether by examination or by endorsement,~~ and to all individuals practicing medicine, osteopathic medicine, ~~or podiatric medicine,~~ or acupuncture within the state whether licensed or unlicensed.

Source: *Miss. Code Ann. §73-25-1 (1972, as amended).*

Rule 1.2 Definitions. For the purpose of ~~Part 2601 Chapters 1 through 4~~ these rules, the following terms have the meanings indicated:

- A. "Board" means the Mississippi State Board of Medical Licensure.
- B. "Physician" means any person with a valid doctor of medicine, doctor of osteopathy or doctor of podiatry degree.
- C. "LCME" means the Liaison Committee on Medical Education, the organization recognized by the American Medical Association for accrediting American medical schools.
- D. "ACGME" means Accreditation Council of Graduate Medical Education.
- E. "RCPS" means Royal College of Physicians and Surgeons.
- F. "ABMS" means American Board of Medical Specialties.
- G. "AMA" means the American Medical Association.
- H. "FSMB" means the Federation of State Medical Boards of the United States, Incorporated.
- I. "FLEX" means the Federation Licensing Examination administered through the FSMB.
- J. "NBME" means National Board of Medical Examiners.
- K. "USMLE" means United States Medical Licensing Examination administered jointly through the FSMB and NBME.

- L. "SPEX" means the Special Purpose Examination administered through the FSMB.
- M. "NBOME" means the National Board of Osteopathic Medical Examiners.
- N. "COMLEX" means the Comprehensive Osteopathic Medical Licensing Examination administered through the NBOME.
- O. "COMVEX" means the Comprehensive Osteopathic Medical Variable-Purpose Examination administered through the NBOME.
- P. "AOA" means American Osteopathic Association.
- Q. "LMCC" means Licentiate of the Medical Council of Canada.
- R. "APMA" means American Podiatric Medical Association.
- S. "ABPM" means American Board of Podiatric Medicine.
- T. "ABPS" means American Board of Podiatric Surgery.
- U. "FPMB" means Federation of Podiatric Medical Boards.
- V. "CPME" means Council on Podiatric Medical Education.
- W. "NBPME" means National Board of Podiatric Medical Examiners.
- X. "APMLE" means American Podiatric Medical Licensing Examination administered through the NBPME.
- Y. "NPDB" means National Practitioner Data Bank.
- Z. "ECFMG" means the Education Commission for Foreign Medical Graduates.
- AA. "Foreign Medical School" means any medical college or college of osteopathic medicine located outside the United States, Canada or Puerto Rico.
- BB. "JMED" means International Medical Education Directory.
- CC. "Good Moral Character" as applied to an applicant, means that the applicant has not, prior to or during the pendency of an application to the Board, been guilty of any act, omission, condition or circumstance which would provide legal cause under Sections 73-25-29 or 73-25-83, Mississippi Code, for the suspension or revocation of medical licensure.

Source: *Miss. Code Ann. §73-25-1 (1972, as amended)*.

Rule 1.3 Duty to Obtain License. Any physician, ~~osteopathic physician, or podiatrist~~ physician assistant, radiologist assistant or acupuncturist desiring to practice in this state must first obtain a license to do so by contacting the Mississippi State Board of Medical Licensure and submitting all requested documentation to the Board of Medical Licensure at its current address or website address.

~~The practitioner must complete an application and submit it to the Board in a manner prescribed by the Board. References submitted on the application are queried, as well as the American Medical, Osteopathic, or Podiatry Associations, Federation of State Medical Boards, National Practitioners Data Bank, other states in which the practitioner is or has been licensed, entities where the practitioner is or has been employed, and hospitals where the practitioner has held staff privileges.~~

~~A physician, osteopathic physician, or podiatrist~~ physician assistant, radiologist assistant or acupuncturist who is participating in or who has participated in an impaired professionals/~~disabled doctors~~ program as approved by the Board must document a two-year period of abstinence from any abusive use of mood-altering drugs, which shall include, but not be limited to, alcohol and all substances listed in Schedules I through V of the Uniform Controlled Substances Law, Mississippi Code, from the date of completion of the program before he or she is eligible for a permanent license to practice ~~medicine/podiatry~~ medicine, podiatry or acupuncture in Mississippi.

Prior to the issuance of, or reinstatement of a license, any ~~physician, osteopathic physician, or podiatrist~~ physician assistant, radiologist assistant or acupuncturist who has not actively practiced for a three (3) year period shall be required to participate in a Board approved ~~physician~~ assessment program ~~and/or~~ , clinical skills assessment program or re-entry program to assure post-licensure competency.

A ~~physician, osteopathic physician or podiatrist~~ physician assistant, radiologist assistant, or acupuncturist shall be deemed to have not "actively" practiced medicine if during said three (3) year period the ~~physician, osteopathic physician or podiatrist~~ physician assistant, radiologist assistant or acupuncturist has not treated any patients for remuneration, other than friends and family.

The preceding three paragraphs exclude those ~~physicians, osteopathic physicians, or podiatrists~~ physician assistants, radiologist assistants or acupuncturists who perform charity work or work in research.

Amended April 15, 1999. Amended May 17, 2007.

Source: *Miss. Code Ann. §73-25-1 (1972, as amended)*.

Part 2601 Chapter 52: Effect of Application

Rule 2.1 Effect of Application. The submission of an application for licensing to the Board shall constitute and operate as an authorization by the applicant to each educational institution at which the applicant has matriculated; each state or federal agency to which the applicant has applied for any license, permit,

certificate or registration; each person, firm, corporation, clinic, office or institution by whom or with whom the applicant has been employed in the practice of medicine; each physician or other health care practitioner whom the applicant has consulted or seen for diagnosis or treatment and each professional organization or specialty board to which the applicant has applied for membership, to disclose and release to the Board any and all information and documentation concerning the applicant which the Board deems material to consideration of the application. With respect to any such information or documentation, the submission of an application for licensing to the Board shall equally constitute and operate as a consent by the applicant to disclosure and release of such information and documentation and as a waiver by the applicant of any privilege or right of confidentiality which the applicant would otherwise possess with respect thereto.

By submission of an application for licensing to the Board, an applicant shall be deemed to have given his or her consent to submit to physical or mental examinations if, when and in the manner so directed by the Board and to waive all objections as to the admissibility or disclosure of findings, reports or recommendations pertaining thereto on the grounds of privileges provided by law. The expense of any such examination shall be borne by the applicant.

The submission of an application for licensing to the Board shall constitute and operate as an authorization and consent by the applicant to the Board to disclose and release any information or documentation set forth in or submitted with the applicant's application or obtained by the Board from other persons, firms, corporations, associations or governmental entities pursuant to Part 2601, Chapter 2, Rule 2.1 paragraphs 1 and 2, to any person, firm, corporation, association or governmental entity having a lawful, legitimate and reasonable need therefore, including, without limitation, the medical licensing authority of any state; ~~The Federation of State Medical Boards of the United States, Incorporated FSMB; the American Medical Association~~ AMA and any component state and county or parish medical society, including the Mississippi State Medical Association and component societies thereof; the U.S. Drug Enforcement Administration; the Mississippi State Bureau of Narcotics; federal, state, county or municipal health and law enforcement agencies and the Armed Services. It is the intent and purpose of this rule to authorize release of only that licensure information not prohibited from release under Section 73-52-1, Mississippi Code.

Upon submission of an application for licensure to the Board, the applicant shall promptly provide all information deemed necessary by the Board to process the application, including, but not limited to ~~letters of recommendation,~~ certification of graduation from medical school, photograph of applicant, internship certificate certification and birth certificate. The Board shall have a reasonable period of time within which to collect and assimilate all required documents and information necessary to issue a medical license. If, after submitting an application for medical license, an applicant has failed to respond or make a good faith effort to pursue licensure for a period of three (3) months, the application will be considered null and void, and applicant will have to reapply for licensure, including, but not limited to, all fees, application, and certifications, ~~and references.~~ Additionally, if after one year from the date of receipt of application, applicant has not received a medical license, the application will be considered null

and void, and applicant will have to reapply for licensure, including, but not limited to, all fees, application, and certifications, ~~and references~~. Under no circumstances will the one year time limit be waived.

Source: *Miss. Code Ann. §73-25-5 (1972, as amended)*.

TITLE 30: PROFESSIONS AND OCCUPATIONS

Part 2605: Licensure and Examinations Medical, Osteopathic and Podiatric Physicians

Part 260105 Chapter 0201: Licensure Requirements for the Practice of Medical Doctors and Osteopathic Physicians

Rule 2.1 Licensure by Examination.

- A. ~~To qualify for admission by examination, an individual shall meet the following requirements, provided that the Board may admit any individual to the examination while reserving its right to deny licensure if that individual fails to meet all requirements for licensure subsequent to success or completion of the examination:~~
- ~~1. Applicant must satisfy the Board that he or she is at least twenty-one (21) years of age and of good moral character.~~
 - ~~2. Present a diploma from a reputable medical college or college of osteopathic medicine, subject to the following conditions:~~
 - ~~i. If the degree is from a medical college or a college of osteopathic medicine in the United States or Puerto Rico, the medical college must be accredited at the time of graduation by the Liaison Committee on Medical Education (LCME), a Joint Committee of the Association of American Medical Colleges (AAMC) and the American Medical Association (AMA), or if a college of osteopathic medicine, must be accredited by the Professional Education Committee of the American Osteopathic Association (AOA).~~
 - ~~ii. If the degree is from a Canadian medical school, the school must be accredited at the time of graduation by the Liaison Committee on Medical Education (LCME) and by the Committee on Accreditation for Canadian Medical Schools, as sponsored by the Canadian Medical Association and Association of Canadian Medical Colleges.~~
 - ~~iii. If the degree is from a foreign medical school, an applicant must either (i) possess a valid certificate from the ECFMG or (ii) document successful completion of a Fifth Pathway program, as described below.~~

- ~~iv. Any diploma or other document required to be submitted to the Board by an applicant which is not in the English language must be accompanied by a certified translation thereof into English.~~
 - ~~3. Applicants for licensure by examination must present documentation of having completed at least one (1) year of postgraduate training in the United States accredited by the Accreditation Council for Graduate Medical Education (ACGME) or by the AOA; or training in Canada accredited by the Royal College of Physicians and Surgeons.~~
 - ~~4. Present certified copy of birth certificate or valid passport.~~
 - ~~5. Subject to the provisions of Part 2601, Rule 2.3, an applicant must successfully complete and pass all parts/steps of the FLEX or USMLE.~~
 - ~~6. Complete an application for medical license and submit it to the Board in the manner prescribed by the Board with a recent passport type photograph.~~
 - ~~7. Submit fee prescribed by the Board; however, any fees related to permanent licensure may be deferred for applicants indicating a desire to practice medicine under a Temporary License or Limited License within the confines of an ACGME or AOA approved postgraduate training program pursuant to Part 2601, Chapter 4 of these rules.~~
 - ~~8. Appear for a personal interview in the office of the Mississippi State Board of Medical Licensure, successfully pass the Jurisprudence Examination as administered by the Board, and submit for a criminal background check.~~
- ~~B. A Fifth Pathway Program, as a prerequisite for licensure by examination pursuant to Part 2601, Rule 2.1, A.2.iii, will be considered on an individual basis. Students who have completed the academic curriculum in a foreign medical school and who have fulfilled the conditions set forth, may be offered the opportunity to substitute for an internship required by the foreign medical school, an academic year of supervised clinical training prior to entrance into the first year of ACGME or AOA approved postgraduate medical education. The supervised clinical training (Fifth Pathway) must be under the direction of a medical school accredited by the LCME. Fifth Pathway will be available to students who have fulfilled the following conditions:~~
- ~~1. Completed, in an accredited American college or university, undergraduate pre-medical work of the quality acceptable for matriculation in an accredited U.S. medical school.~~
 - ~~2. Studied medicine at a medical school located outside the United States, Puerto Rico and Canada but which is recognized by the World Health Organization.~~
 - ~~3. Completed all of the formal requirements of the foreign medical school except internship and/or social service.~~

~~The Board will accept for examination or licensure only those individuals completing Fifth Pathway Programs by December 31, 2009.~~

~~C. Prior to issuance of a permanent Mississippi medical license, a graduate of a foreign medical school who has successfully completed all other requirements of application for licensure by examination must present documentation of having completed at least three (3) years of ACGME-approved postgraduate training in the United States or training in Canada approved by the Royal College of Physicians and Surgeons.~~

~~Source: Miss. Code Ann. §73-25-3 (1972, as amended).~~

~~Rule 2-21.1 Licensure by Reciprocity or Endorsement Credentials. The Board endorses, for the purpose of reciprocity, licenses to practice medicine obtained in most states by written examination prior to March 8, 1973. Subject to the provisions of Part 26015, Rule 2-31.2, all applicants for medical licensure by reciprocity who took the FLEX between March 8, 1973, and January 24, 1985, must have passed the FLEX taken in one three-day sitting with a weighted average of 75 or higher in order to obtain licensure in Mississippi. The Board will not accept scores of more than one administration of the FLEX which have been combined (factored) to provide a FLEX weighted average of 75 or higher. From and after January 24, 1985, an applicant for medical licensure by reciprocity must have passed both Components I and II of the FLEX with a score of 75 to be considered the passing grade for each component. From and after June 1994, the Board shall endorse, for the purpose of reciprocity, licenses to practice medicine from applicants who have successfully taken Steps 1, 2 and 3 of the USMLE.~~

~~Those doctors of osteopathic medicine who graduated prior to June 1, 1973, and who make application for licensure by reciprocity with another state will be considered only if they took and passed the same written licensure examination given in that state at that time to graduates of medical schools. A statement to this effect will must be obtained by submitted to this Board from that licensing board.~~

~~The Board may affiliate with and recognize for the purpose of waiving examination and may grant licenses to endorse Diplomates of the NBME; the NBOME (COMLEX), if examination completed on or after February 13, 1973, to Diplomates of the NBOME and or licentiates of the Medical Council of Canada. If a Diplomate of the NBME or NBOME, the applicant must have a Certification of Endorsement from that Board submitted directly to the Board. If seeking endorsement with the Medical Council of Canada, the applicant must have a Certificate of Standing submitted directly to the Board.~~

~~The applicant must have the state board where the original license was obtained by examination submit a certified copy of the examination to the Board.~~

The Board may ~~grant a license by reciprocity~~ consider licensure to a graduate of a foreign medical school who was licensed in another state by written examination prior to March 8, 1973, if he or she is certified by a board recognized by the ~~American Board of Medical Specialties ABMS~~. ~~A statement verifying that the applicant is currently certified must be submitted directly to the Board by the American Board of Medical Specialties Board.~~ The applicant must comply with all other licensure requirements for foreign medical graduates.

In addition to the above requirements for licensure by ~~reciprocity and/or endorsement~~ credentials, an individual shall meet the following requirements:

- A. Applicant must be twenty-one (21) years of age and of good moral character.
- B. Present a diploma from a reputable medical college or college of osteopathic medicine, subject to the following conditions:
 1. If the degree is from a medical college or a college of osteopathic medicine in the United States or Puerto Rico, the medical college must be accredited at the time of graduation by the ~~Liaison Committee on Medical Education LCME~~, a Joint Committee of the Association of American Medical Colleges (AAMC) and the ~~American Medical Association AMA~~ or the College of Osteopathic Medicine which must be accredited by the American Osteopathic Association AOA.
 2. If the degree is from a Canadian medical school, the school must be accredited at the time of graduation by the ~~Liaison Committee on Medical Education LCME~~ and by the Committee on Accreditation for Canadian Medical Schools, ~~as sponsored by the Canadian Medical Association and Association of Canadian Medical Colleges.~~
 3. If the degree is from a foreign medical school, an applicant must either (i) possess a valid certificate from the ECFMG or (ii) document successful completion of a Fifth Pathway program, ~~as described in Part 2601, Rule 2.1.B,~~ and be currently board certified by a specialty board recognized by the ~~American Board of Medical Specialties ABMS~~ or the ~~American Osteopathic Association~~. The Board will accept for licensure only those individuals completing Fifth Pathway Programs by December 31, 2009. Credentialing via Fifth Pathway Programs will be considered on an individual basis
 4. Any diploma or other document required to be submitted to the Board by an applicant which is not in the English language must be accompanied by a certified translation thereof into English.
- C. If a graduate from a medical college or college of osteopathic medicine in the United States, Canada or Puerto Rico, applicant must present documentation of having completed at least one (1) year of postgraduate training in the United States accredited by the ~~Accreditation Council for Graduate Medical Education ACGME~~ or by the AOA; or training in Canada accredited by the ~~Royal College of Physicians and Surgeons RCPS~~.

- D. If a graduate from a foreign medical school, applicant must present documentation of having completed either:
1. three (3) or more years of ACGME-approved postgraduate training in the United States or training in Canada approved by the ~~Royal College of Physicians and Surgeons~~ RCPS; or
 2. ~~at least~~ one (1) year of ACGME-approved postgraduate training in the United States or training in Canada approved by the ~~Royal College of Physicians and Surgeons~~ RCPS, be currently board certified by a specialty board recognized by the ~~American Board of Medical Specialties ABMS or the American Osteopathic Association~~ and must have approval by the ~~Mississippi State Board of Medical Licensure~~ Board.
- E. An applicant who otherwise possesses all of the qualifications for licensure by ~~reciprocity/endorsement~~ credentials, but has not taken a medical proficiency examination or licensure examination within ten (10) years prior to filing his or her application, must pass the ~~Special Purpose Examination SPEX or COMVEX~~ as administered by and under auspices of the Board, unless the applicant:
1. Submits satisfactory proof of current certification by an ~~American Board of Medical Specialties ABMS or American Osteopathic Association AOA~~ approved specialty board; or
 2. Submits proof that the applicant's sole purpose for seeking licensure is to serve as the Dean, Chairman of the Department or Faculty of ~~the University of Mississippi School of Medicine~~ an ACGME approved training program. In such case, a license shall remain in effect so long as Licensee is a member of the faculty of ~~the University School of Medicine~~ the ACGME approved training program.
- F. ~~Present~~ Submit certified copy of birth certificate or valid passport.
- G. Complete an application for medical license and submit it to the Board in a manner prescribed by the Board with a recent passport type photograph.

SPEX (SPECIAL PURPOSE EXAMINATION) is a cognitive examination assisting licensing jurisdictions in their assessment of current competence requisite for general, undifferentiated medical practice by physicians who hold or have held a valid license in a U.S. jurisdiction. SPEX is made available through the Federation of State Medical Boards ~~of the United States, Incorporated~~.

COMVEX-USA (COMPREHENSIVE OSTEOPATHIC MEDICAL VARIABLE EXAMINATION) is the evaluative instrument offered to osteopathic physicians who need to demonstrate current osteopathic medical knowledge. COMVEX-USA is made available through the National Board of Osteopathic Medical Examiners.

- H. Submit fee prescribed by the Board.
- I. Appear for a personal interview in the office of the ~~Mississippi State Board of Medical Licensure Board~~, successfully pass the Jurisprudence Examination as administered by the Board, and submit for a criminal background check.

~~Graduates of foreign medical schools seeking licensure by reciprocity or endorsement via Fifth Pathway Programs will be considered on an individual basis subject to those requirements set forth in Part 2601, Rule 2.1.B.~~

Source: *Miss. Code Ann. §73-25-3 (1972, as amended).*

~~Rule 2.31.2 Licensure Examinations. For the purpose of licensing by examination and reciprocity, †The Board recognizes three (3) four (4) separate and distinct examinations, to-wit: The examinations administered by the NBME, NBOME (COMLEX), FLEX and USMLE. The Board adopted the FLEX as a method of licensure by examination on March 8, 1973. Prior to this date, the Board administered a written examination and endorsed, for the purposes of reciprocity, licenses to practice medicine or osteopathic medicine obtained in most states by written examination. A separate discussion of each examination and this Board's requirements for the purpose of licensure is as follows:~~

A. FLEX

1. The Board adopted the ~~Federation Licensing Examination~~ FLEX as the method of licensure by examination on March 8, 1973. The last regular administration of the FLEX was December 1993. The Board will recognize FLEX as a valid medical licensing examination subject to all requirements heretofore and hereinafter set forth.
2. Prior to January 24, 1985, the FLEX examination was divided into three components:

Day I--Basic Science

Day II--Clinical Science

Day III--Clinical Competence

In order to pass this examination, each applicant must have obtained a FLEX weighted average of 75 with Day I given a value of 1/6 of the entire examination, Day II given a value of 2/6, and Day III given a value of 3/6. The Board may make an exemption to the weighted average of 75 if the applicant has completed an approved residency program and is currently certified by a specialty board recognized by the ~~American Board of Medical Specialties~~ ABMS or the ~~American Osteopathic Association~~ AOA.

After January 24, 1985, the Board ~~has~~ approved administration of a new FLEX examination with a different design from that administered since 1973. This examination ~~is~~was a three-day examination, and ~~is~~was comprised of two components. Component I ~~consisted~~ed of one and one-half (1½) days and ~~judges~~d the readiness of a physician to practice medicine in a supervised setting. Component II ~~consisted~~ed of one and one-half (1½) days and ~~judges~~d the readiness of a physician to practice independently. A score of 75 is considered a passing grade for each component. ~~If taken separately, Component I must be passed before taking Component II.~~

3. An applicant ~~has~~had seven (7) years in which to pass both components of the FLEX. An applicant ~~is required to repeat only that component failed. A candidate who is unsuccessful in passing the FLEX after three (3) attempts will be required to take one additional year of post graduate training approved by the Accreditation Council for Graduate Medical Education (ACGME) before being eligible to take the FLEX again. Following completion of the year of postgraduate training, applicant may be allowed three (3) additional attempts to pass the FLEX.~~

B. USMLE

1. The USMLE is a three-step examination for medical licensure in the United States and is sponsored by the FSMB and NBME. The Board adopted the ~~United States Medical Licensing Examination~~USMLE as an additional method of licensure by examination on September 16, 1993. The USMLE replaced FLEX and the NBME certification examinations during a phase-in period from 1992 to 1994. Unlike the three-day (two-component) FLEX, USMLE is a three-step examination that consists of three two-day examinations, Step 1, Step 2, and Step 3. Each step is complementary to the other; no step can stand alone in the assessment of readiness for medical licensure. The clinical skills examination is a separately administered component of Step 2 and is referred to as Step 2 Clinical Skills, or Step 2 CS. Unlike the FLEX, which ~~must be~~ was taken upon or after graduation from medical school most applicants will take Step 1 and 2 of the USMLE during their medical school years. Step 3 will be taken after graduation.
2. ~~To be eligible for Step 1 or Step 2 of the USMLE, an applicant must be an officially enrolled medical student or a graduate of a United States, Puerto Rican or Canadian medical school accredited by the LCME or the AOA, or an officially enrolled medical student or a graduate of a foreign medical school and eligible for examination by the ECFMG for a certificate.~~
3. ~~To be eligible to take Step 3 of USMLE, an applicant must (a) complete an application for a Mississippi medical license and (b) meet all other requirements for licensure, as provided in Part 2601, Rule 2.1.~~
4. ~~A score of 75 is necessary to successfully pass each step of the USMLE.~~
5. USMLE Steps 1, 2 and 3 must be passed within a seven-year time period beginning when the examinee passes his or her first Step. The Board, at its discretion, may waive this

requirement based on extraordinary circumstances. The Board encourages all applicants to take Step 3 of the USMLE as soon as possible following receipt of the M.D. or D.O. degree. ~~An applicant has seven (7) years in which to pass all steps of the USMLE. A candidate who is unsuccessful in passing Step 3 after three (3) attempts will be required to take one (1) additional year of ACGME-approved postgraduate training before being eligible to take Step 3 again. Following completion of the year of postgraduate training, the applicant may be allowed three (3) additional attempts to pass Step 3 of the USMLE.~~

C. NBME or NBOME

The Board recognizes ~~for the purpose of reciprocity and waiving examination,~~ diplomates of the NBME and on or after February 13, 1973, diplomates of the NBOME (COMLEX). Both examinations are administered in three (3) parts, Parts I, II and III and must be passed within a seven-year time period beginning when the examinee passes his or her first Part. ~~Applicants must have the NBME or NBOME submit a certificate evidencing successful completion of the examination directly to the Board.~~

D. EXAM COMBINATIONS

Now that the FLEX and examinations administered by the NBME have been phased out, the Board will accept passing scores for the following combinations of the FLEX, NBME and USMLE examinations:

EXAMINATION SEQUENCE	ACCEPTABLE COMBINATIONS
NBME Part I <i>plus</i> NBME Part II <i>plus</i> NBME Part III	NBME Part I or USMLE Step 1 <i>plus</i> NBME Part II or USMLE Step 2 <i>plus</i> NBME Part III or USMLE Step 3
FLEX Component I <i>plus</i> FLEX Component II	FLEX Component I <i>plus</i> USMLE Step 3 <i>or</i> NBME Part I or USMLE Step 1 <i>plus</i> NBME Part II or USMLE Step 2 <i>plus</i> FLEX Component II
USMLE Step 1 <i>plus</i> USMLE Step 2 <i>plus</i> USMLE Step 3	

Amended September 13, 1997. Amended January 18, 2001. Amended February 18, 2003. Amended March 8, 2007. Amended May 17, 2007. Amended January 24, 2008. Amended July 1, 2009. Amended October 13, 2009.

Source: *Miss. Code Ann. §73-25-3 (1972, as amended)*.

Part 26015 Chapter 32: Licensure Rules-Governing Requirements for the Practice of Podiatrists

~~Rule 3.1 Licensure by Examination. To qualify for admission by examination, an individual shall meet the following requirements, provided that the Board may admit any individual to the examination while reserving its right to deny licensure if that individual fails to meet all requirements for licensure subsequent to success or completion of the examination:~~

- ~~A. Applicant must satisfy the Board that he or she is at least twenty one (21) years of age and of good moral character.~~
- ~~B. Applicant must have had at least four (4) years of high school and be graduate of same; he or she shall have at least one (1) year pre-podiatry college education.~~
- ~~C. Present a diploma from a college of podiatric medicine recognized by the Board as being in good standing, subject to the following conditions:
 - ~~1. Any diploma or other document required to be submitted to the Board by an applicant which is not in the English language must be accompanied by a certified translation thereof into English.~~
 - ~~2. No college of podiatry or chiropody shall be accredited by the Board as a college of good standing which does not require for graduation a course of study of at least four (4) years (eight and one half [8½] months each) and be recognized by the Council on Education of the American Podiatry Association at the time of graduation.~~~~
- ~~D. Present certified copy of birth certificate or valid passport.~~
- ~~E. Successfully take an examination for podiatrists. The applicant shall be examined in the following subjects: anatomy, histology, physiology, chemistry, pharmacy, materia medica, therapeutics, bacteriology, pathology, surgery, dermatology, neurology, physical therapy, diagnosis and roentgenology, orthopedics, chiropody and chiropodial surgery, limited in their scope to the treatment of the human foot and leg, and if found qualified shall receive a license. The minimum of requirements for license shall be a general average of seventy five percent (75%) of all the subjects involved, provided that a grade of not less than sixty percent (60%) be made on any one (1) subject or branch given in the examination held. However, applicants are encouraged to take the examinations given by the National Board of Podiatry Examiners.~~
- ~~F. Complete an application for podiatry license and submit it to the Board in the manner prescribed by the Board with a recent passport type photograph.~~

~~G. Submit fee prescribed by the Board.~~

~~H. Appear for a personal interview in the office of the Mississippi State Board of Medical Licensure and successfully pass the Jurisprudence Examination as administered by the Board.~~

~~Source: Miss. Code Ann. §73-27-5 (1972, as amended).~~

~~Rule 3-22.1 Licensure by Reciprocity or Endorsement~~~~Credentials~~. If the original license of an applicant was obtained by state board examination, the applicant must have the state board where original license was obtained by written examination submit a certified copy of the examination directly to the Board.

The Board ~~may affiliate with and recognize for the purpose of waiving examination and~~ may grant licenses to Diplomates of the ~~National Board of Podiatric Examiners~~NBPE. If a Diplomate of the ~~National Board of Podiatric Examiners~~NBPE, the applicant must have certification of endorsement from that Board submitted directly to the Board.

In addition to the above requirements ~~for licensure by reciprocity and/or endorsement~~, an individual shall meet the following requirements:

- A. Applicant must be twenty-one (21) years of age, and of good moral character.
- B. Applicant must have had at least four (4) years high school and be graduate of same; he or she shall have at least one (1) year pre-podiatry college education.
- C. Present a diploma from a college of podiatric medicine recognized by the Board as being in good standing, subject to the following conditions.
 1. Any diploma or other document required to be submitted to the Board by an applicant which is not in the English language must be accompanied by a certified translation thereof into English.
 2. No college of podiatry or chiropody shall be accredited by the Board as a college of good standing which does not require for graduation a course of study of at least four (4) years (eight and one-half [8½] months each) and be ~~recognized~~accredited by the ~~Council on Education of the American Podiatry Association~~ CPME at the time of graduation.
- D. Present proof of completion of one (1) year of APMA-approved postgraduate training in the U.S. or Canada. If the podiatrist graduated from an accredited college of podiatric medicine prior to 1990, has continuously practiced for the past ten (10) years and has held unrestricted license(s) to practice podiatry, the one (1) year of APMA-approved postgraduate training may be waived at the Board's discretion.
- E. ~~Present~~Submit certified copy of birth certificate or valid passport.

- F. Complete an application for podiatry license and submit it to the Board in the manner prescribed by the Board with a recent passport type photograph.
- G. Submit fee prescribed by the Board.
- H. Appear for a personal interview in the office of the ~~Mississippi State Board of Medical Licensure~~Board, submit for a criminal background check and successfully pass the Jurisprudence Examination as administered by the Board.

Amended March 8, 2007. Amended May 17, 2007. Amended January 24, 2008. Amended November 20, 2008.

Source: *Miss. Code Ann. §73-27-5 (1972, as amended)*.

Part 2601-5 Chapter 43: Temporary Licensure

Rule 43.1 Temporary Licensure.

- A. Mississippi temporary medical licenses may be issued to applicants for licensure in Mississippi ~~only after completion of an application for licensure by (a) examination; (b) reciprocity with another state; or (c) endorsement of the National Board of Medical Examiners, National Board of Examiners for Osteopathic Physicians and Surgeons, or the Medical Council of Canada (LMCC)~~ under the following conditions:
 - 1. A restricted temporary medical license may be issued upon proper completion of an application for medical licensure by ~~examination or by reciprocity/endorsement~~ credentials to an applicant who otherwise meets all requirements for licensure except completion of the postgraduate training requirements provided in Part 2601-5, Chapter 21, Rule 21.1.A.3 and successful completion of Step 3 of USMLE as provided in Part 2601-5, Chapter 21, Rule 21.3.B.3. Such restricted temporary license shall entitle the physician to practice medicine only within the confines of an ACGME or AOA approved postgraduate training program in this state and may be renewed annually for the duration of the postgraduate training for a period not to exceed five (5) years.
 - 2. An unrestricted temporary medical license may be issued in an exceptional case to an applicant seeking licensure by ~~reciprocity or by endorsement~~ credentials. Such an unrestricted temporary license shall remain valid only for a period of time sufficient for applicant to submit required documents and credentials to complete an application for permanent licensure, but in no instance to exceed 30 days.
- B. The ~~State Board of Medical Licensure~~ may issue a temporary license to practice medicine for a period not to exceed 90 days at a youth camp licensed by the State Department of Health to any

nonresident physician who is not licensed to practice medicine in this state or to any resident physician who is retired from the active practice of medicine in this state while serving as a volunteer at such camp.

1. Nonresident Physician

- i. must have favorable references from two physicians with whom the applicant has worked or trained within the last year;
- ii. must have written certification from the medical licensing authority in the state in which he or she holds a currently valid license to practice medicine; and
- iii. must submit fee prescribed by the Board.

2. Retired Resident Physician

- i. must be in good standing with the ~~Mississippi State Board of Medical Licensure~~, and
- ii. must submit fee as prescribed by the Board.

C. The ~~State Board of Medical Licensure~~ may issue a temporary license to practice medicine to physicians who have been admitted for treatment in a drug and/or alcohol treatment program approved by the Board, or who are enrolled in the fellowship of addictionology in the Mississippi State Medical Association Professionals Health Program; provided that, a nonresident applicant shall hold a valid (unrestricted) license to practice medicine in another state and the medical licensing authority of that state shall certify to the ~~Board of Medical Licensure~~ in writing that such license is in good standing.

1. A temporary license issued under this rule shall be valid for a period of ninety (90) days but may be renewed every ninety (90) days for the duration of the fellowship or treatment program. If the applicant discontinues treatment or leaves the fellowship program, the temporary license shall automatically become null and void. The Board may rescind or extend this temporary license for cause.
2. A temporary license issued to a physician under this rule shall be limited to the out-patient phase of the treatment program or the time necessary to complete the fellowship of addictionology. The physician to whom the license is issued may administer treatment and care within the scope of the drug and/or alcohol treatment program or fellowship in an institutional setting and shall not otherwise practice in this state. A physician licensed under this rule shall not apply to the U.S. Drug Enforcement Administration for a controlled substances registration certificate and must be under the supervision of another physician holding a valid and unrestricted license in this state.
3. A physician who has had his or her permanent license to practice in this state revoked or suspended by the Board due to habitual personal use of intoxicating liquors or narcotic drugs, or any other drug having addiction-forming or addiction-sustaining liability, may be

granted a temporary license pursuant to this rule provided the temporary license is not in conflict with the prior disciplinary order of the Board rendered against the physician.

4. The applicant applying for a ninety (90) day temporary license to practice while in treatment in an approved drug and/or alcohol treatment program or while enrolled in the fellowship of addictionology shall pay a fee prescribed by the Board (not to exceed \$50.00) to the Board. No additional fee shall be charged for an extension.

Mississippi temporary medical licenses are issued under the condition that the licensee shall not apply to the U.S. Drug Enforcement Administration for a Controlled Substances Registration Certificate.

Source: *Miss. Code Ann. §73-25-17 (1972, as amended)*.

Rule 43.2 Limited Institutional Licensure.

- A. Pursuant to Section 73-25-23, Mississippi Code, a limited institutional license is available only to graduates of foreign medical schools who are employed or are being considered for employment to practice medicine in one or more Mississippi state-supported institutions located in the same county.
- B. It is understood that graduates of foreign medical schools holding a limited institutional license, and who are employed by and enrolled in an approved ACGME or AOA postgraduate training program at the University of Mississippi Medical Center, shall be authorized to participate in any postgraduate educational program at the University of Mississippi Medical Center, or any of its affiliated training program sites.
- C. An application for limited institutional licensure may be ~~obtained~~ accepted by the Board only upon the written request of the ~~director of the~~ state-supported institution which has employed or is considering employing a graduate of a foreign medical school to practice medicine.
- D. A limited institutional license may be issued for a period of one (1) year for practice in a particular institution after a review and favorable recommendations by a majority of the following:

1. President or Secretary, Board of Trustees of Institution
 2. Director of Institution
 3. President or Secretary, Local Chartered Medical Society in area in which institution is located
 4. Member, Board of Trustees, Mississippi State Medical Association in area in which institution is located
 5. Member, Mississippi State Board of Medical Licensure from district in which institution is located
 6. Executive Officer, Mississippi State Board of Medical Licensure
- E. In addition to the above requirements for a limited institutional license, an applicant shall meet the following requirements:
1. Must be at least twenty-one (21) years of age and of good moral character.
 2. Must ~~present original~~ submit copy of diploma and certification of completion from a reputable medical college or reputable college of osteopathic medicine.
 3. Must submit certified copy of valid certificate from the ECFMG or its successor.
 4. ~~Must have favorable references from two (2) physicians licensed in the United States with whom the applicant has worked or trained.~~
 5. Must submit an application completed in every detail with recent passport type photograph.
 6. Must submit fee prescribed by the Board.
 7. Must appear for a personal interview in the office of the ~~Mississippi State Board of Medical Licensure~~, submit for a criminal background check and successfully pass the Jurisprudence Examination as administered by the Board.
- F. Pursuant to Section 73-25-23, Mississippi Code, a limited institutional license must be renewed annually, after such review as the ~~State Board of Medical Licensure~~ considers necessary. ~~A graduate of a foreign medical school so licensed may hold such limited institutional license no longer than five (5) years; provided, however, that any graduate of a foreign medical school so licensed and employed by any state institution on January 1, 1981, shall not be subject to the five year limitation created by statute. Based upon the above law:~~
1. ~~The limited institutional licenses of graduates of foreign medical schools so licensed and employed by a state institution on January 1, 1981, shall be renewable annually based upon the favorable recommendation of the director of the institution by which the licensee is employed.~~

- ~~2. The limited institutional licenses of graduates of foreign medical schools so licensed and employed by a state institution from January 2, 1981, through June 30, 1983, shall be renewable annually for five years, beginning July 1, 1983, based upon the favorable recommendation of the director of the institution by which the licensee is employed.~~
 3. The limited institutional licenses of graduates of foreign medical schools so licensed and employed by a state institution on and after July 1, 1983, shall be renewable annually based upon the favorable recommendation of the director of the institution by which the licensee is employed. A graduate of a foreign medical school so licensed may hold such limited institutional license no longer than five (5) years.
- G. Since a limited institutional license is issued to a graduate of a foreign medical school for employment to practice medicine in a particular Mississippi state-supported institution, or institutions located in the same county, such limited institutional license shall become void immediately upon termination of employment of the licensee at the institution, or institutions, at which practice is authorized under the license.
- H. An annual renewal fee shall be prescribed by the Board.

Source: *Miss. Code Ann. §73-25-23 (1972, as amended)*.

Rule 43.3 Temporary Training License for Out-of-State Residents. An individual enrolled in an out-of-state postgraduate training program wishing to rotate through an ACGME or AOA approved training program within Mississippi, shall not be required to obtain a restricted temporary license provided the rotation lasts no longer than four (4) weeks. However, the individual must submit the following to the Board:

- A. A completed information form which has been supplied by the Board.
- B. A letter from the physician's postgraduate training program stating that he or she is going to be participating in a rotation in Mississippi and the duration.
- C. A letter from the training program in Mississippi stating the physician will be training with them and the duration.
- D. Verification of a current license (limited or training), permit, or letter from the state in which the individual is enrolled in a training program.
- E. A licensure fee in the amount of \$50.

The individual may not participate in the Mississippi training program until a valid training license has been issued. The license will be effective the date the individual is to begin the Mississippi rotation and will become null and void the day the individual completes the rotation.

If during the duration of the training, it is determined that the physician may stay longer than four (4) weeks, the temporary training license may be renewed for an additional four (4) weeks. Under no circumstances will the license be renewed after eight (8) weeks. An individual anticipating on rotating through a Mississippi training program for a period longer than eight (8) weeks shall be required to obtain a Restricted Temporary Medical License.

The Board reserves the right to deny issuance of a temporary training license as provided herein based on any of the statutory grounds as enumerated in Mississippi Code, Sections 73-25-29 and 73-25-83.

Source: *Miss. Code Ann. §73-25-17 (1972, as amended)*.

Rule 43.4 Short-Term Training for Out-of-State Physicians. The Board is aware that there are Mississippi physicians assisting out-of-state physicians in expanding professional knowledge and expertise by offering short-term training to the out-of-state physician. The Mississippi physician wishing to offer this training to the unlicensed out-of-state physician(s) must have their short-term training program approved by the Board.

The Mississippi physician must submit a detailed letter stating the purpose of the short-term training program, the objectives of the course, approximately how long the course will last, and any supporting documentation that would assist the Board in determining the approval status of the program.

An individual wishing to attend the Board approved short-term training is not required to obtain a permanent Mississippi medical license; however, the individual must submit the following to the Board:

- A. A completed information form which has been supplied by the Board.
- B. A letter from the mentor of the Board approved training program stating that the applicant is going to be participating in the short-term training program and the duration.
- C. Verification of a current unrestricted permanent license from the state in which the individual is currently practicing.
- D. A permit fee in the amount of \$25.

The individual may not participate in the short-term training program until a valid training permit has been issued. The permit will be effective the date the individual is to begin the training and will become null and void the day the individual completes the training.

A short-term training permit is typically valid for two to three days; however, it can be issued up to fifteen (15) days. If during the duration of the training, it is determined that the physician may stay longer than fifteen (15) days, the temporary training permit may be renewed for an additional (15) days. Under no circumstances will the permit be renewed after thirty (30) days. An individual anticipating training for a period longer than thirty (30) days will be required to obtain a permanent Mississippi medical license.

Amended November 19, 1998. Amended March 8, 2007. Amended May 17, 2007. Amended July 12, 2007. Amended September 20, 2007.

Source: *Miss. Code Ann. §73-25-17 (1972, as amended)*.

Part 26045 Chapter 65: The Practice by Unlicensed Nonresident Physicians

Rule 65.1 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 Mississippi Code, Section 73-25-19.

Source: *Miss. Code Ann. §73-25-19 (1972, as amended)*.

Rule 65.2 Purpose. Pursuant to Mississippi Code, 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.

Source: *Miss. Code Ann. §73-25-19 (1972, as amended)*.

Rule 65.3 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:

- A. The currently licensed Mississippi physician who needs consultation or assistance must notify the Board in writing of his or her 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.

- B. 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.
- C. The non-resident unlicensed physician shall submit to the Board written proof of licensure status in good standing from another state or jurisdiction.

Source: *Miss. Code Ann. §73-25-19 (1972, as amended)*.

Rule 65.4 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.

Source: *Miss. Code Ann. §73-25-19 (1972, as amended)*.

Rule 65.5 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 Mississippi Code, Sections 75-74-8 and 73-25-17.

Source: *Miss. Code Ann. §73-25-19 (1972, as amended)*.

Rule 65.6 Effective Date of Regulation. The above rules pertaining to the practice by unlicensed nonresident physicians shall become effective August 22, 2002.

Amended October 19, 2002

Source: *Miss. Code Ann. §73-25-19 (1972, as amended)*.

Dispensing of Medication

If medication is ordered, stocked, and dispensed to patients through your license to practice medicine in Mississippi, you are considered a **dispensing physician** and this should be reflected on your application for licensure or on your renewal. It has come to the attention of the Board that medication repackaging companies are approaching physicians to stock medications in their offices for dispensing to patients in order to increase income. There have been questions as to the origin and purity of these medications. If you wish to dispense medications from your office, you should allow patient freedom of choice as to where their prescriptions are filled and become familiar with the Board rules concerning dispensing of medications in **Title 30: Professions and Occupations, part 2640 Prescribing, Administering and Dispensing** located on our web site, WWW.MSBML.MS.GOV. It is your responsibility to secure the medication, secure controlled medication separately, and **PERSONALLY** dispense the medication. **You are not allowed to delegate any part of the dispensing process.** If you wish to send medications home with your patients, other than samples, these rules apply: you must remove the medication from the shelf, count the medication from the stock bottle, if not previously prepackaged, place it in a container, create a label with the patients name, address, date of birth, number of dosage units, stock number, expiration date, directions for use, and the date of dispensing, and place the label on the container as you **personally** hand the medication to the patient. Dispensing of controlled substance medications in a quantity greater than a 48 hour supply **must** be reported to the Mississippi Prescription Monitoring Program on a daily or next business day basis. Information about reporting may be found on the Board of Pharmacy website, www.mbp.state.ms.us, or questions may be directed to the Prescription Monitoring Program department at 601-899-0138.