

**BOARD MINUTES
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
MARCH 24, 2020**

A special telephonic meeting of the Mississippi State Board of Medical Licensure was held on March 24, 2020, in the Executive Conference Room of the Office of the Board located at 1867 Crane Ridge Drive, Jackson, Mississippi.

THE FOLLOWING MEMBERS WERE PRESENT:

J. Ann Rea, M.D., Columbus, President
David W. McClendon, Jr., M.D., Ocean Springs, Vice President
Michelle Y. Owens, M.D., Jackson, Secretary
Charles D. Miles, M.D., West Point
C. Kenneth Lippincott, M.D., Tupelo
Kirk L. Kinard, D.O., Oxford
Daniel Edney, M.D., Vicksburg

ALSO PRESENT:

Shoba Gaymes, Consumer Health Committee
Major General (Ret) Erik Hearon, Consumer Health Committee
Stan T. Ingram, Complaint Counsel for the Board
Gloria Green, Special Assistant Attorney General
Kenneth Cleveland, Executive Director
Anna Boone, Interim Director, Licensure Division
Leslie Ross, Director of Investigations
Jonathan Dalton, Investigations Supervisor
Frances Carrillo, Staff Officer

NOT PRESENT:

Thomas Joiner, M.D., Jackson
H. Allen Gersh, M.D., Hattiesburg
Wesley Breland, Consumer Health Committee
Mike Lucius, Deputy Director

The conference call meeting was called to order at 3:03 p.m. by Dr. Rea, President, directed Dr. Cleveland to perform roll call of Board Members. Dr. Rea verified that there was a quorum present.

Amendment of the Proclamation issued by the Board on 03/15/2020

Dr. Rea advised this meeting was called to amend the wording of the Proclamation issued by the Board on March 15, 2020 in regards to out-of-state physicians utilizing telemedicine when treating Mississippi patients.

Dr. Rea directed Dr. Cleveland to review the draft amending the language clarifying that until the state of emergency is lifted by the Governor, unlicensed out-of-state physicians may utilize telemedicine when treating patients in Mississippi with whom they have a pre-existing doctor-patient relationship.

Dr. Cleveland read the draft amended proclamation to the Board.

Dr. Cleveland turned the meeting over to Dr. Rea for discussion. Language added to define "physician" and to add "physician assistant" to the proclamation. Changes were made and reviewed for the final version of the Amended Proclamation, a copy of which is attached to these minutes.


After discussion, a motion was made by Dr. Edney, seconded by Dr. McClendon and carried unanimously to accept the amendment to the Proclamation.

A copy of the Proclamation is attached hereto and incorporated by reference.

A motion was made by Dr. Edney, seconded by Dr. Miles and carried unanimously to accept the entire proclamation.

ADJOURNMENT

There being no further business, Dr. Rea adjourned the meeting at 3:44 p.m.


Jeanne Ann Rea, M.D.
President

Minutes taken and transcribed by:
Frances Carrillo
March 24, 2020

AMENDED PROCLAMATION

WHEREAS, on March 15, 2020, the Mississippi State Board of Medical Licensure issued a Proclamation announcing that it would not enforce any statute, rule or regulation requiring physicians to personally examine patients prior to the issuance of a prescription or order for the administration of medication, including controlled substances, all in an effort to encourage the use of telemedicine during the state of emergency; and

WHEREAS, as to out-of-state physicians, it was the intent of the Board to limit the Proclamation to those out-of-state physicians who already have a pre-existing doctor-patient relationship with patients in Mississippi; and

WHEREAS, in order to clarify the Board's Proclamation, the Board finds it necessary to issue this Amended Proclamation.

NOW THEREFORE, until action taken by the Governor of the state of Mississippi to lift the emergency, out-of-state physicians may utilize telemedicine when treating patients in Mississippi with whom they have a pre-existing doctor-patient relationship, without the necessity of securing a license to practice medicine in the state, provided the out of state physician holds an unrestricted license to practice medicine in the state in which the physician practices and currently is not the subject of an investigation or disciplinary proceeding and so advises the Board.

FURTHER, as to in-state physicians, when practicing telemedicine, the requirement for a pre-existing doctor-patient relationship does not apply.

FURTHER, every physician shall access the Prescription Monitoring Program when a controlled substance prescription is issued. However, urine drug screens shall not be required.

FURTHER, every physician shall conduct an evaluation of the patient's current condition and document the appropriate medical indication for the prescription.

FURTHER, as used herein, the word "physician" or "physicians" shall include medical doctors (M.D.), doctors of osteopathy (D.O.) and podiatric physicians. This Proclamation shall also apply to physician assistants.

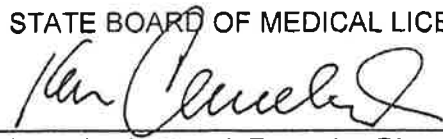
FURTHER, except as amended herein, the Proclamation of the Board issued on March 15, 2020 shall remain in full force and effect.

FURTHER, the Executive Director shall provide notice to all licensees at such time as this proclamation has been lifted. Notice shall be provided by email and on the Board's website.

SO ORDERED AND APPROVED by the Mississippi State Board of Medical Licensure, this is the 24th day of March, 2020.

MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

By: _____


Kenneth Cleveland, Executive Director