

**BOARD MINUTES
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
MARCH 24 AND 25, 2021**

The regularly scheduled meeting of the Mississippi State Board of Medical Licensure was held on Thursday January 24 and 25, 2021, in Hinds County, Jackson, Mississippi.

BOARD MEETING MINUTES FOR MARCH 24, 2021

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
H. Allen Gersh, M.D., Hattiesburg via Zoom
Thomas Joiner, M.D., Jackson
Major General (Ret.) Erik Hearon, Jackson, Consumer Member
Wesley Breland, Hattiesburg, Consumer Member
Shoba Gaymes, Jackson, Consumer Member

ALSO PRESENT:

Stan T. Ingram, Complaint Counsel for the Board
Alexis Morris, Special Assistant Attorney General
Kenneth Cleveland, Executive Director
Mike Lucius, Deputy Director
Anna Boone, Director of Licensure Division
Kristin Wallace, Clinical Director of Physician Compliance
Jonathan Dalton, Interim Investigations Supervisor
Frances Carrillo, Staff Officer

The meeting was called to order at 10:05 am, by Dr. Rea, President. The invocation was given by Dr. Kinard and the pledge was led by Kinard. Dr. Rea introduced Alexis Morris, Special Assistant Attorney General and Tammi Fulghum, Court Reporter with Brown Court Reporting.

EXECUTIVE DIRECTOR REPORT

Dr. Cleveland provided an updated summary regarding Licensure and Investigative Division operations for the months of January through February 2021.

Review and Approval of Minutes of the Executive Committee Meeting dated January 24, 2021.

Upon review of the minutes of the Executive Committee Meeting dated January 24, 2021, Dr. McClendon moved for approval of the minutes as submitted. Dr. Owens seconded the motion and it carried unanimously.

Review and Approval of Minutes of the Board Meeting dated January 25, 2021.

Upon review of the minutes of the Board Meeting dated January 25, 2021, Dr. Owens moved for approval of the minutes as submitted. Dr. Miles seconded the motion and it carried unanimously.

Report of March 24, 2021, Executive Committee Meeting

Dr. Owens reported on the matters discussed by the Executive Committee on March 24, 2021, and recommendations made.

Information pertaining to the Executive Committee's recommendations is included in the Executive Committee minutes, which are attached hereto and incorporated by reference.

A motion was made by Dr. Lippincott, seconded by Dr. Joiner, and carried of the Board's decision to ratify the decisions of the Executive Committee's meeting.

REPORTS FROM COMMITTEES

Scope of Practice - Dr. Owens (Chair), Dr. Miles, Dr. Kinard, Dr. Gersh, Dr. McClendon, Mr. Breland, Ms. Gaymes, Dr. Edney

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

Professionals Health Program - Dr. Lippincott (Chair), Dr. Gersh, Dr. Edney, Maj Gen Hearon, Ms. Gaymes, Dr. Joiner

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

Telemedicine I Interstate Licensure Compact - Dr. McClendon (Chair), Dr. Miles, Dr. Kinard, Dr. Lippincott, Maj Gen Hearon, Mr. Lucius

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

Licensees Education and Communication - Dr. Owens (Chair), Dr. McClendon, Dr. Gersh, Dr. Kinard, Dr. Joiner, Dr. Lippincott, Mr. Breland, Ms. Gaymes, Mr. Lucius

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Dr Owens advised the March Newsletter had been released and feedback has been positive. Board member Dr. Kinard was featured, and he contributed an article regarding the Opioid Epidemic.

Physician Assistant Advisory Task Force - Dr. McClendon (Chair), Dr. Kinard, Robert Philpot, Jr., PhD, PA-C, Joanna Mason, PA-C, Ms. Lauren English, Phyllis Johnson, Board of Nursing, Tristen Harris, PA-C, Leah Calder, PA-C, Mr. Gavin Nowell, Mr. Jonathan Dalton, Maj Gen Hearon

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

Rules, Regulation & Legislative - Dr. Miles (Chair), Dr. Gersh, Dr. Joiner, Dr. Owens, Dr. Lippincott, Mr. Breland, Ms. Hope Ladner

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

Hospice Ad Hoc Committee: Dr. Edney (Chair), Dr. Joiner, Dr. Houston, Dr. Turner, Dr. Gentry

Dr. Edney advised all was completed.

APPROVAL OF INVESTIGATIVE SUBPOENAS 2021-111-A & B, 2021-111 A – E AND 2021-124 PURSUANT TO MISS. CODE §73-25-27

A motion was made by Dr. Joiner, seconded by Dr. McClendon and carried that the Board enter executive session for the purpose of discussing whether to issue subpoenas regarding investigations of alleged misconduct and violations of the statutes and regulations governing the practice of medicine in case numbers 2021-111-A & B, 2021-111 A – E and 2021-124.

Upon a motion by Dr. Joiner seconded by Dr. Miles and carried unanimously, the Board came out of executive session. It was reported that the Board unanimously authorized the issuance of investigative subpoenas in case numbers 2021-111-A & B, 2021-111 A – E and 2021-124. Pursuant Miss. Code §73-25-27, the Executive Director of the Board is hereby authorized to issue the aforementioned investigative subpoenas and this authorization shall be deemed an order entered on the minutes of the Board.

**MORTON I. HYSON, M.D., MISSISSIPPI MEDICAL LICENSE NUMBER 22993,
APPROVAL OF CONSENT ORDER**

Mr. Ingram briefly summarized the Consent Order executed by Dr. Hyson. The Consent Order mirrors the action of the Nevada State Board of Medical Examiners issuing a Public Letter of Reprimand for failure to Maintain Proper Medical Records and failure to comply with an Order.

Upon a motion by Dr. Miles seconded by Dr. Kinard and carried unanimously to accept the Consent Order.

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

The official account of this proceeding was recorded by Tammi Fulghum Court Reporter, Brown Court Reporting.

ALEXANDAR JOVANOVICH, M.D., MISSISSIPPI MEDICAL LICENSE NUMBER 26061, APPROVAL OF CONSENT ORDER

Mr. Ingram briefly summarized the Consent Order executed by Dr. Jovanovich. The Consent Order mirrors the action of the Iowa Board of Medicine issuing a Warning / Reprimand for failure to conform to minimal standards of acceptable medical practice subject to terms and conditions.

Upon a motion by Dr. Miles seconded by Dr. Owens and carried unanimously to accept the Consent Order.

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

The official account of this proceeding was recorded by Tamara Fulgham, Court Reporter, Brown Court Reporting.

HEARING IN THE CASE OF JEFFREY T. WILLIS, M.D., PHILADELPHIA, MS, MISSISSIPPI MEDICAL LICENSE NUMBER 12556

Mr. Ingram presents to the Board for informational purposes a Voluntary Surrender of Medical License executed by Dr. Willis. Mr. Ingram briefly summarized this case.

HEARING IN THE CASE OF JAMES DELGADILLO, D.O., CORINTH, MS, MISSISSIPPI MEDICAL LICENSE NUMBER 25694

Mr. Ingram advised a request was received from Dr. Delgadillo a motion for a continuance who is represented by Ms. Gilchrist.

HEARING IN THE CASE OF FRANK C. WADE, JR., M.D. MAGEE, MS, MISSISSIPPI MEDICAL LICENSE NUMBER 10798

Mr. Ingram introduced Dr. Frank Wade and his counsel Mr. Johnny Wade. Mr. Ingram summarized Dr. Wade's charges and advised documents have been pre-marked to be placed into the record.

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Dr. Rea introduced Alexis Morris, Special Assistant Attorney General as the hearing officer for this matter. Ms. Morris approved to proceed with the exhibits.

Mr. Ingram summarized Dr. Wade's charges and reviewed the exhibits.

Mr. Ingram placed documents into the record.

Ms. Morris asked opposing counsel if he wished to enter any exhibits.

Mr. Wade agreed to the exhibits entered by Mr. Ingram.

Mr. Wade advised that it was his understanding that the Rule is being invoked. That there was a potential witness who is present and requested they be excluded during the testimony.

Ms. Morris invoked the rule.

Ms. Morris asked the Board members to introduce themselves to document a quorum for the record.

Mr. Ingram makes an opening statement.

Mr. Wade makes an opening statement.

Dr. Wade was sworn in by the court reporter was called to the witness stand as an adverse witness by Mr. Ingram and questioned. Dr. Wade answers questions regarding his training, his practice in Magee Mississippi and boundary issues with a patient.

Dr. Wade was questioned and answered questions from Mr. Wade, Mr. Ingram before he exited the witness stand.

THE BOARD RECESSED FOR LUNCH AT 12:04 PM AND RECONVENED AT 1:00 PM

Ms. Cindy McIntyre was sworn in by the court reporter was called to the witness stand. Ms. McIntyre was questioned and answered questions from Mr. Wade, Mr. Ingram and the Board before she was excused and exited the witness stand.

Mr. Ingram makes a closing statement.

Mr. Wade makes a closing statement.

A motion was made by Dr. Owens, seconded by Dr. Gersh and carried that the Board enter into Executive Session to discuss a matter related to alleged misconduct by Dr. Wade and possible entry of an appealable order.

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Upon a motion by Dr. Miles, seconded by Dr. Gersh and carried, the Board came out of Executive Session at which time Dr. Rea asked Dr. Owens to report on the Board's decision. Dr. Owens reported that the Board finds Licensee guilty on Counts I and II and as such his license is suspended and he must undergo a comprehensive psychosexual evaluation at a facility approved by the Board. He is also further ordered to complete Board approved courses on recordkeeping, boundaries and ethics. After full completion of all of these items, the licensee may petition the Board for consideration of reinstatement at a time period no less than four months.

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

The official account of this proceeding was recorded by Tamara Fulgham, Court Reporter, Brown Court Reporting, Inc.

ADJOURNMENT

Dr. Rea adjourned the meeting at 2:18 p.m.

BOARD MEETING MINUTES FOR MARCH 25, 2021

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
H. Allen Gersh, M.D., Hattiesburg via Zoom
Thomas Joiner, M.D., Jackson
Major General (Ret.) Erik Hearon, Jackson, Consumer Member
Wesley Breland, Hattiesburg, Consumer Member
Shoba Gaymes, Jackson, Consumer Member

ALSO PRESENT:

Stan T. Ingram, Complaint Counsel for the Board
Alexis Morris, Special Assistant Attorney General
Kenneth Cleveland, Executive Director
Mike Lucius, Deputy Director
Anna Boone, Director of Licensure Division
Kristin Wallace, Clinical Director of Physician Compliance
Jonathan Dalton, Interim Investigations Supervisor
Frances Carrillo, Staff Officer

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The meeting was called to order at 9:01 am, by Dr. Rea, President. Dr. Rea introduced Alexis Morris, Special Assistant Attorney General and Tammi Fulghum, Court Reporter with Brown Court Reporting.

HEARING IN THE CASE OF SHAWN X. WU, M.D., GULFPORT, MS, MISSISSIPPI MEDICAL LICENSE NUMBER 18988

Dr. Rea asked the Board members to introduce themselves to document a quorum for the record. Dr. Rea introduced Alexis Morris, Special Assistant Attorney General as the hearing officer for this matter. Mr. Ingram introduced Dr. Shawn Wu and his counsel Mr. Joel Howell and co-counsel Donald Rafferty.

Mr. Ingram summarized Dr. Wu's charges and made an opening statement.

Mr. Howell made an opening statement and briefly summarized the defense. Mr. Howell stated Dr. Wu has admitted to the charges. Mr. Howell proposed to the Board that if they determined what discipline is appropriate, to consider administering a private or public reprimand, require to participate in program of education or place restrictions on his practice.

Ms. Morris advised that the Board may go into executive session to consider this proposal they can accept the proposal or proceed with the hearing.

A motion was made by Dr. Owens, seconded by Dr. McClendon and carried that the Board enter into Executive Session to discuss a matter related to alleged violations.

Upon a motion by Dr. Owens, seconded by Dr. Miles and carried, the Board came out of Executive Session at which time Dr. Rea asked Dr. Owens to report on the Board's decision. Dr. Owens reported that it was the Board's decision to issue a public Letter of Reprimand. Licensee is to complete courses in Ethics, Prescribing and Boundaries within one year. Also, reimburse the Board for all costs incurred in relation to this matter.

A copy of the Letter of Reprimand Order is attached hereto and incorporated by reference.

The official account of this proceeding was recorded by Tammara Fulgham, Court Reporter, Brown Court Reporting.

OTHER BUSINESS:

Part 2640: Prescribing, Administering and Dispensing of Medication, Rule 1.14 Pain Management Medical Practice, G. 5.

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A motion was made by Dr. Gersh, seconded by Dr. McClendon, and carried to suspend the regulation, Part 2640: Prescribing, Administering and Dispensing of Medication, Rule 1.14 Pain Management Medical Practice, G. (5)., pending referral of the rule to the Rules, Regulation & Legislative Committee.

FSMB 2021 Virtual Annual Meeting Registration Information

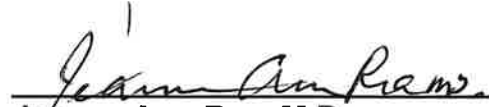
A reminder for the Registration of the annual Federation of State Medical Board's Meeting via Zoom.

MAY BOARD MEETING DATES

Wednesday May 19, and Thursday, May 20, 2021

ADJOURNMENT

There being no further business, the meeting is adjourned at 10:16 am.



Jeanne Ann Rea, M.D.
President

**Minutes taken and transcribed.
By Frances Carrillo
Staff Officer
March 25, 2021**

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF PHYSICIAN'S LICENSE

OF

MORTON ISAAC HYSON, M.D.

CONSENT ORDER

WHEREAS, Morton Hyson, M.D., hereinafter referred to as "Licensee," is the current holder of License No. 22993, issued November 19, 2013, for the practice of medicine in the State of Mississippi;

WHEREAS, on November 23, 2020, Licensee, in order to avoid a disciplinary hearing, voluntarily entered into a Settlement Agreement with the Nevada State Board of Medical Examiners, hereinafter referred to as the "Nevada Board," for an act or acts that would be grounds for disciplinary action under the Nevada Revised Statutes, NRS 630.3062(1)(a) Failure to Maintain Proper Medical Records; and NRS 630.3065(2)(a) Failure to Comply with Order. Licensee received a Public Letter of Reprimand as part of the Settlement agreement. In addition, Licensee was ordered to pay a \$1,000.00 civil penalty and required to keep a female chaperone employed and present during all female patient encounters, and to document such chaperone within the medical records;

WHEREAS, pursuant to Subsection (9) of Section 73-25-29, Mississippi Code (1972) Annotated, as amended, the aforementioned actions by the Nevada Board constitute action against Licensee's ability to practice 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 conditions on his license to practice medicine in the State of Mississippi.

NOW, THEREFORE, the Mississippi State Board of Medical Licensure, with consent of Licensee as signified by his joinder herein, does hereby formally **REPRIMAND** Licensee, subject to the following terms and conditions:

1. Licensee must comply with all requirements set forth in the aforementioned Nevada Settlement Agreement. Licensee shall provide proof of the successful completion of the Settlement Agreement prior to requesting lifting of this Consent Order.
2. Licensee shall obey all federal, state, and local laws, and all rules and regulations governing the practice of medicine. Any further acts of misconduct will result in further action.

Should the Board hereafter receive documented evidence of Licensee violating any of the terms and conditions of this Consent Order, the Board shall have the right, pursuant to a full evidentiary hearing, to revoke the medical license of Licensee, suspend it for a time deemed proper by the Board, or take any other action determined as necessary by the Board.

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

avoid a hearing before the Board. In this regard, Licensee authorizes the Board to review and examine any documentary evidence or 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 Federation of State Medical Boards, and the Board makes no representation as to action, if any, which any other agency or jurisdiction 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, **MORTON ISAAC HYSON, 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 24, day of February, 2021.


Morton Hyson, M.D.

ACCEPTED AND APPROVED this the 24th, day of March, 2021, by
the Mississippi State Board of Medical Licensure.


JEANNE ANN REA, M.D.
Board President

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF PHYSICIAN'S LICENSE

OF

ALEXANDAR JOVANOVIĆH, M.D.

CONSENT ORDER

WHEREAS, Alexandar Jovanovich, M.D., hereinafter referred to as "Licensee," is the current holder of License No. 26061, issued August 3, 2018, for the practice of medicine in the State of Mississippi;

WHEREAS, on August 28, 2020, Licensee, in order to avoid a disciplinary hearing, voluntarily entered into a Settlement Agreement with the Iowa Board of Medicine for an act or acts that would be grounds for disciplinary action under Iowa Code sections 148.6(2)(c), and Iowa Administrative Code rules 653-13.11(7) and (8) and 23.1(1). Licensee was cited for violating the standards of practice for telemedicine in Iowa, and he was also warned that engaging in such conduct in the future may result in further disciplinary action against his Iowa license. In addition, Licensee was ordered to pay a \$5,000.00 civil penalty and required to take corrective action to address the deficiencies in his telemedicine practice.

WHEREAS, pursuant to Subsection (9) of Section 73-25-29, Mississippi Code (1972), Annotated, the aforementioned actions by the Iowa Board constitute action against Licensee's ability to practice 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 and conditions on his license to practice medicine in the State of Mississippi.

NOW, THEREFORE, the Mississippi State Board of Medical Licensure, with consent of Licensee as signified by his joinder herein, does hereby formally **REPRIMAND** Licensee, subject to the following terms and conditions:

1. Licensee must comply with all requirements set forth in the aforementioned Iowa Settlement Agreement. Licensee shall provide proof of the successful completion of the Settlement Agreement prior to requesting lifting of this Consent Order.
2. Licensee shall reimburse the Board for 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 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.

Should the Board hereafter receive documented evidence of Licensee violating any of the terms and conditions of this Consent Order, the Board shall have the right, pursuant to a full evidentiary hearing, to revoke the medical license of Licensee, suspend it for a time deemed proper by the Board, or take any other action determined as necessary by the Board.

This Consent Order shall be subject to approval by the Board. If the Board fails to approve this Consent Order, in whole or in part, it shall have no force or effect on the parties. It is further understood and agreed that the purpose of this Consent Order is to avoid a hearing before the Board. In this regard, Licensee authorizes the Board to review and examine any documentary evidence or 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 Federation of State Medical Boards, and the Board makes no representation as to action, if any, which any other agency or jurisdiction 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, **ALEXANDAR JOVANOVIĆ, 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 1, day of February 2021.


Alexandar Jovanovich, M.D.

ACCEPTED AND APPROVED this the 24th, day of March, 2021, by
the Mississippi State Board of Medical Licensure.


JEANNE ANN REA, M.D.
Board President

**BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
IN THE MATTER OF THE PHYSICIAN'S LICENSE
OF
JEFFREY TODD WILLIS, M.D.**

SURRENDER OF MEDICAL LICENSE

WHEREAS, JEFFREY TODD WILLIS, M.D., hereinafter referred to as "Licensee," is the current holder of License Number 12556 issued on July 1, 1990, to practice medicine in the State of Mississippi;

WHEREAS, on Saturday, January 9, 2021, Licensee was involved in a domestic violence incident involving his wife. Neshoba County Sheriff's Deputies responded to the domestic disturbance at the home of Licensee. Licensee reportedly answered the door brandishing a firearm. There was a verbal exchange which led to a shooting that involved Licensee and responding officers. As a result of these events, Licensee has been charged in Neshoba County with Domestic Violence-Aggravated Assault and multiple counts of Simple and Aggravated Assault on a Police Officer.

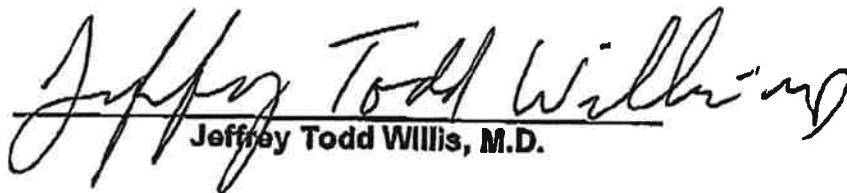
WHEREAS, the aforementioned domestic incident and subsequent events, if convicted, constitute offenses involving moral turpitude, and regardless of conviction, constitutes unprofessional conduct, including any dishonorable or unethical conduct likely to deceive, defraud, or harm the public, in violation of Miss. Code Ann., §§73-25-29(6) and (8)(d).

NOW THEREFORE, in order to resolve this matter now pending before the Board, Licensee agrees to voluntarily surrender his medical license (No. 12556) to

practice medicine in the State of Mississippi and understands said Surrender shall be effective immediately upon execution. Licensee understands this is an unconditional surrender, is reportable to the National Practitioner Data Bank and other entities, such as the Federation of State Medical Boards, and is a public record of the State of Mississippi.

Recognizing his right to notice of charges specified against him, to have such charges adjudicated pursuant to Miss. Code Ann., § 73-25-27 (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, Jeffrey Todd Willis, M.D., nevertheless, hereby waives his right to notice and a formal adjudication of charges and authorizes the Board to join in the execution of this Order, thereby accepting this Surrender of Medical License to practice medicine in the State of Mississippi.

EXECUTED AND EFFECTIVE, this the 23 day of March, 2021.


Jeffrey Todd Willis, M.D.

APPROVED:


Michael R. Bonner, Esq.
Counsel for Licensee


Stan T. Ingram, Esq.
Board Complaint Counsel

**BEFORE THE MISSISSIPPI STATE
BOARD OF MEDICAL LICENSURE**

IN THE MATTER OF:

JAMES DELGADILLO, D.O.

ORDER OF CONTINUANCE

THIS MATTER came on regularly for consideration by the Mississippi State Board of Medical Licensure in response to a request for continuance of the hearing set for this date by James Delgadillo, D.O. (hereinafter "Licensee") through his counsel Kathryn R. Gilchrist, Esq. After consideration of the matter, the Board finds Licensee's request to be well taken.

IT IS, THEREFORE, ORDERED, that this matter is continued until May 20, 2021 at 9:00 a.m.

SO ORDERED this, the 24th day of March 2021.

MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

BY: 
Jeanne Ann Rea, M.D., President

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE LICENSE OF:

FRANK COLVIN WADE, M.D.

DETERMINATION AND ORDER

The above-titled matter came before the Mississippi State Board of Medical Licensure (hereinafter "Board") in Jackson, Hinds County, Mississippi, on March 24, 2021, pursuant to a Summons and Amended Affidavit issued to Frank Colvin Wade, M.D. A quorum of Board members was present throughout the hearing and deliberation in the matter.

Board Counsel Stan Ingram, Esq., presented the charges as set forth in the Affidavit as filed herein. Licensee, having been served with the Summons and being fully informed of his rights to a formal hearing before the Board, was represented by John Wade, Esq. The matter was called to hearing without objection from either party.

Alexis Morris, Esq., Special Assistant Attorney General, who served as Administrative Hearing Officer, presided at the hearing and was directed to prepare the Board's written decision in accordance with its deliberations.

And now, upon consideration of all the material produced in the record before the Board, along with the testimony presented at the hearing, the Board makes the following Findings of Fact, Conclusions of Law and Order based on clear and convincing evidence:

FINDINGS OF FACT

1. The Board is established pursuant to the Mississippi State Board Medical Licensure Act, Title 73, Chapter 43 of the Mississippi Code of 1972 as amended, and is charged with the duty of licensing and regulating the practice of medicine in the State of Mississippi pursuant to Title 73, Chapter 25 of the Mississippi Code of 1972 as amended

2. Sections 73-25-29, 73-25-83 and 73-25-87 of the Mississippi Code Annotated (1972) as amended provide that the Board may revoke or suspend a license or take any other actions as deemed necessary if a license has violated any provisions therein.
3. All parties have been properly noticed of the matter now pending.
4. Frank Colvin Wade, M.D., hereby referred to as "Licensee," currently holds Mississippi Medical License Number 10798, and said number is valid until June 30, 2021.
5. Licensee lists his primary practice location as 360 Simpson Highway 149, Suite 370, Magee, Mississippi. Licensee lists his specialty as Family Practice. Licensure records show Licensee as being sixty-two (62) years of age. Exhibit No 2.
6. On June 12, 2020, the Mississippi State Board of Medical Licensure, hereinafter referred to as the "Board," received information from a healthcare practitioner who wished to report general concerns of alleged professional sexual misconduct between Licensee and a particular patient, Cindy McIntyre, hereinafter referred to as "Patient."
7. Pursuant to subpoenas duly issued, Exhibit No. 3, Board Investigative Staff obtained medical records from several medical practices, including Licensee's former and current practice locations. According to the records obtained and introduced as evidence, Exhibits Nos. 4 and 5, Licensee has been a treating physician of the Patient since 2008. Therefore, there has been a long-term doctor-patient relationship between the respective parties. The Board also notes that the Patient has been a nurse employee of Magee General Hospital, where both Patient and Licensee have worked together for many years.
8. Beginning in the Summer of 2017, Licensee and the Patient began a romantic/sexual relationship. Sexual encounters during the doctor-patient relationship occurred at Licensee's clinic, the hospital and at a residence. The relationship continued off-and-on for several years and, as described by Licensee, became serious in 2020.
9. Despite the sexual relationship, Licensee continued to treat the Patient, including the issuance of multiple prescriptions of medications, many of which were controlled substances. Exhibit No. 6. Of the approximate forty-five (45) prescriptions issued to Patient since 2017, almost seventy percent (70%) were not entered into the patient record, indicating that Licensee failed to properly manage the patient, all in violation of Title 30, Part 2640, *Rule 1.4 Maintenance of Records and Inventories* of the Board's Administrative Code, all in violation of Miss. Code Ann., §73-25-29(13). During the hearing, Licensee acknowledged that professional sexual misconduct with a patient impairs the objectivity which a physician needs to properly treat patients.
10. Licensee did not terminate the doctor-patient relationship until August 2020, after he knew that a complaint had been filed and the Board was then investigating him for professional sexual misconduct. Despite terminating the doctor-patient relationship, Licensee, via his own admission, acknowledged that he did not follow the proper procedures for termination

(e.g., send her a termination letter, place a termination letter in her file, etc.). In this regard, the Board notes that the romantic relationship between the parties continues and the Patient testified at the hearing on Licensee's behalf.

11. On October 6, 2020, the Board investigative staff interviewed Licensee concerning the investigation into professional sexual misconduct. Exhibit No. 7. During the interview, licensee did not dispute the romantic relationship with the Patient. Furthermore, Licensee agreed to take prompt steps to submit to a comprehensive psychosexual evaluation at a facility approved by the Mississippi Physicians Health Program (MPHP). Despite the passage of five (5) months, at the time of the hearing, Licensee had still failed to submit to the comprehensive evaluation, citing family illness and other family matters. The Board finds that Licensee failed to comprehend the seriousness of the allegations and investigation, further suggesting little if any insight into professional sexual misconduct.
12. According to Section 9.1.1 of the *Code of Medical Ethics* of the American Medical Association, romantic or sexual interactions between physicians and patients that occur concurrently with the patient-physician relationship are unethical. A physician must terminate the patient/ physician relationship before initiating a romantic or sexual relationship with a patient. Likewise, sexual or romantic relationships between a physician and a former patient may be unduly influenced by the previous patient/ physician relationship. Sexual or romantic relationships with former patients are unethical if the physician uses or exploits trust, knowledge, emotions, or influence derived from the previous professional relationship, or if a romantic relationship would otherwise foreseeably harm the individual. Exhibit No. 9.

CONCLUSIONS OF LAW

1. The Board has jurisdiction in this matter pursuant to Sections 73-25-29, and 73-25-83(a), Mississippi Code of 1972, as amended. Venue is likewise properly placed before the Board to hear this matter in Hinds County, Mississippi.
2. These proceedings were duly and properly convened, and all substantive and procedural requirements under law have been satisfied. This matter is, therefore, properly before the Board.
3. The Board is authorized to license and regulate persons who apply for or hold medical licenses and prescribe conditions under which persons may practice in order to protect the public health, safety and welfare.
4. Based on the evidence and testimony presented, Licensee is guilty of **Count I** of the Affidavit, that is, guilty of unprofessional conduct, which includes, but is not limited to, being guilty of any dishonorable or unethical conduct likely to deceive, defraud, or harm the public by virtue of Licensee having sex with a patient at a time when there was either

a concurrent patient/ physician relationship, or by exploiting trust, knowledge, emotions or influence derived from a previous professional relationship (patient/ physician), all in violation of Miss. Code Ann., §73-25-29(8)(d) and §73-25-83(a).

5. Based on the evidence and testimony presented, Licensee is guilty of **Count II** of the Affidavit, that is, guilty of failing to maintain patient records for controlled substances prescribed, as required in Title 30, Part 2640, *Rule 1.4 Maintenance of Records and Inventories* of the Board's Administrative Code, all in violation of Miss. Code Ann., §73-25-29(13).

Based upon the above Findings of Fact and Conclusions of Law, the Board finds the following order to be appropriate under the circumstances.

ORDER

IT IS THEREFORE ORDERED THAT Mississippi Medical license No. 10798, issued to Frank Colvin Wade, M. D., is hereby suspended.

IT IS FURTHER ORDERED that upon expiration of no-less than four (4) months from the date of this order, Licensee shall have the right, but not the obligation, to petition the Board for reinstatement and return to practice, provided that prior to such petition, Licensee shall have successfully completed a comprehensive a psychosexual psychiatric evaluation at an evaluation facility chosen by Licensee from a list of Board approved facilities. Licensee shall execute any and all releases so as to permit the Board to communicate with the evaluation facility and receive directly from the facility any and all evaluation results. Licensee shall adhere to all treatment and or training recommendations rendered by the aforementioned evaluation facility. The Board shall be under no obligation to consider licensure reinstatement until such time as it has received the final written report of evaluation.

IT IS FURTHER ORDERED that in addition to the psychosexual psychiatric evaluation as required above, Licensee shall also complete Board approved Continuing Medical Education courses (CME) in the areas of (i) record keeping, (ii) boundaries and (iii) ethics. After completion of each CME, Licensee shall submit to the Board documentary proof of successful completion thereof. The Board shall be under no obligation to consider licensure reinstatement until such time as it has received written proof of successful completion of each CME course.

IT IS FURTHER ORDERED that in the event Licensee chooses to petition for reinstatement of license after expiration of the aforementioned four (4) months, Licensee shall personally appear before the Board and present a plan of practice, consistent with the findings and recommendations of the aforementioned evaluation facility. Notwithstanding, the Board reserves the right in its sole and absolute discretion to impose any other restriction deemed necessary to protect the public.

IT IS FURTHER ORDERED that Licensee shall reimburse Board for 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, not to exceed \$10,000, by written notification, and shall tender to

the Board a certified check or money order within forty (40) days after the date the assessment is mailed to Licensee via US mail to Licensee's current mailing address.

IT IS FURTHER ORDERED that Licensee shall cooperate with the Board, its attorneys, investigators, and other representatives in the investigation and monitoring of Licensee's practice and compliance with the provisions of this Determination and Order.

IT IS FURTHER ORDERED that if Licensee violates the terms of this Determination and Order or further violates the laws, rules and regulations governing the practice of medicine, the Board may take further disciplinary action against Licensee, up to and including revocation of his license.

IT IS FURTHER ORDERED that this Determination and Order shall be public record. It may be shared with other licensing boards (in and out of state), and the public, and may be reported to the appropriate entities as required or authorized by state and/or federal law or guidelines. This action shall be spread upon the Minutes of the Board as its official act and deed.

SO ORDERED this, the 24th day of March, 2021.

MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

BY: 
Jeanne Ann Rea, M.D., President