

**MINUTES
EXECUTIVE COMMITTEE MEETING
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
SEPTEMBER 13, 2023**

A regularly called meeting of the Mississippi State Board of Medical Licensure was held on September 13, 2023, at 1867 Crane Ridge Drive, Suite 200B, Jackson, MS, after being duly noticed on the Mississippi Public Notice website, this Board's website, and the front door of the Board's offices in accordance with law.

MEMBERS PRESENT:

Michelle Y. Owens, M.D., Jackson, President
C. Kenneth Lippincott, M.D., Tupelo, Vice President
Thomas Joiner, M.D., Jackson, Secretary

ALSO PRESENT:

Paul Barnes, Board Attorney, Complaint Counsel
Kim Turner, Special Assistant Attorney General
Kenneth Cleveland, Executive Director
Mike Lucius, Deputy Director
Jay Ledbetter, Chief of Staff
Anna Boone, Director of Licensure Division
Jackie McKenzie, Legal Assistant
Jerod Smoote, IT Director
Ken Slay, IT Project Manager
Erica Coleman, IT Projects Officer
Kristin Wallace, Clinical Director of Physician Compliance
Jonathan Dalton, Director of Investigations
Frances Carrillo, Executive Assistant

NOT PRESENT:

**ZOOM APPEARANCE BY GLENN BUTT, M.D., PICAYUNE, MS
MISSISSIPPI MEDICAL LICENSE 17113**

Dr. Butt joined the meeting and was not represented by legal counsel. Dr. Butt executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

Dr. Butt briefly summarized his request seeking an exception to Rule 1.2.A., of Part 2630, Collaboration with Nurse Practitioners, regarding the 20/80 hour in-state practice requirement. Dr. Butt is a retired physician and does not practice the minimum of twenty hours per week within the state as required by the rule. Dr. Butt practices twelve hours a week volunteering at Manna

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Ministries medical services treating patients. Dr. Butt would like to supervise a Nurse Practitioner who also volunteers for Manna Ministries and is requesting an exemption from this regulation.

After questions from the Executive Committee, a motion was made by Dr. Joiner, seconded by Dr. Lippincott, and carried for Dr. Butt's request for an exception was **GRANTED**.

ZOOM APPEARANCE BY MELANIE CRITES-BACHERT, D.O., HOUSTON, TX
MISSISSIPPI MEDICAL LICENSE 29470

Dr. Crites-Bachert, accompanied by Kara Dougherty, FNP-C, joined the meeting and was not represented by legal counsel. Dr. Crites-Bachert executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference. Dr. Crites-Bachert is seeking an exception to Rule 1.2.A., Collaboration with Nurse Practitioners, regarding the 20/80 hour in-state practice requirement and Rule 1.4, Extended Mileage Collaboration and Board Review.

Dr. Crites-Bachert summarized to the Executive Committee that she is a urologist practicing for a telehealth company. Dr. Crites-Bachert treats patients with low risk issues such as sexually transmitted disease and urinary tract infection that fall within the family and urologic medicine.

After discussion and questions from the Executive Committee a motion was made by Dr. Joiner, seconded by Dr. Lippincott, and carried that the Executive Committee enter into executive session for discussion regarding a course of action.

Upon a motion by Dr. Joiner, seconded by Dr. Lippincott and carried, the Executive Committee came out of Executive Session at which time Dr. Owens asked Dr. Joiner to report the Executive Committee's decision. Dr. Joiner reported that the decision is to **DENY** Dr. Crites-Bachert's request.

Zoom Appearance by Theodore Feldman, M.D., Miami, FL
Mississippi Medical License 29736

Dr. Feldman joined the meeting and was represented by legal counsel Mary Kate McNulty and Brian Higgins. Dr. Feldman executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference. Dr. Feldman is seeking an exception to Rule 1.2.A., Collaboration with Nurse Practitioners, regarding the 20/80 hour in-state practice requirement and Rule 1.4, Extended Mileage Collaboration and Board Review.

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Dr. Feldman summarized to the Executive Committee his training and telehealth practice. Dr. Feldman is specifically requesting for an exemption of the regulation regarding the extended mileage collaboration to partner with the Mississippi healthcare providers at Merit health of Madison, Mississippi. Additionally, Mr. Higgins addressed the Board and presented argument in support of the exemption.

After discussion and questions from the Executive Committee a motion was made by Dr. Lippincott, seconded by Dr. Joiner, and carried that the Executive Committee enter into executive session for discussion regarding a course of action.

Upon a motion by Dr. Lippincott, seconded by Dr. Owens and carried, the Executive Committee came out of Executive Session at which time Dr. Owens asked Dr. Joiner to report the Executive Committee's decision. Dr. Joiner reported that the decision is to **APPROVE** Dr. Feldman's request for an exemption limited to the specific partnership/collaboration with Merit Health as presented.

ADJOURNMENT

Dr. Joiner moved to adjourn the meeting, Dr. Lippincott seconded the motion and it carried unanimously.

There being no further business, the meeting is adjourned on Wednesday, September 13, 2023, at 9:38 a.m.


Michelle Y. Owens, M.D.
President

Minutes taken and transcribed.
By Frances Carrillo
Executive Assistant
September 13, 2023

Executive Committee Meeting Agenda
Mississippi State Board of Medical Licensure
Wednesday, September 13, 2023 8:00 am

1. Zoom Appearance by Glenn Butt, M.D., Picayune, MS
Mississippi Medical License 17113

2. Zoom Appearance by Melanie Crites-Bachert, D.O., Houston, TX
Mississippi Medical License

3. Zoom Appearance by Theodore Feldman, M.D., Miami, FL
Mississippi Medical License 29736



MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

**Agreement to Appear Informally Before Executive Committee
by Current Licensee**

I, **Glenn Butt** 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 29th day of August, 2023.

Licensee: Glenn Butt (Glenn Butt)

Witness: [Signature]



MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

Agreement to Appear Informally Before Executive Committee by Current Licensee

I, **Melanie Crites-Bachert** 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 21 day of August, 2023.

Licensee: Melanie Crites-Bachert

Witness: Kortler B M C



MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

**Agreement to Appear Informally Before Executive Committee
by Current Licensee**

I, **Theodore Feldman**

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:

 X with legal counsel present (name of counsel: Mary Kate McNulty and Brian Higgins)

 without legal counsel present

EXECUTED, this the 23rd day of August, 2023.

Licensee: Theodore Feldman

Witness: [Signature]

DANIEL P. MORRISROE NOTARY PUBLIC, STATE OF NEW YORK Registration No. 01MO6422251 Qualified in Suffolk County Commission Expires 09/20/2025
