

**MINUTES
EXECUTIVE COMMITTEE MEETING
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
JANUARY 10, 2024**

A regularly called meeting of the Executive Committee of the Mississippi State Board of Medical Licensure was held on January 10, 2024, 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
Kirk Kinard, D.O., Oxford – Zoom Appearance

ALSO PRESENT:

Paul Barnes, Board Attorney, Complaint Counsel via Zoom
Alexis Morris, 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
Kristin Wallace, Clinical Director of Physician Compliance
Jonathan Dalton, Director of Investigations
Frances Carrillo, Executive Assistant

NOT PRESENT:

**ZOOM APPEARANCE BY JENNIFER O'BRIEN, M.D., PHD
APPLICANT**

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

Dr. O'Brien briefly summarized her request seeking an exception to the requirements of Part 2605, Chapter I, Rule 1.3.B of the Board's Administrative Code. Dr. O'Brien failed to pass the USMLE within a seven-year time. Dr. O'Brien also reported that currently she holds active medical licenses in several states.

EXECUTIVE COMMITTEE MEETING MINUTES

JANUARY 10, 2024

Page 2

Dr. O'Brien briefly summarized the timeline of her training specializing in neuroscience and the completion of the USMLE examination.

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 **APPROVE** Dr. O'Brien's request.

PERSONAL APPEARANCE BY WILLIAM HILLEGASS, M.D. APPLICANT

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

Dr. Hillegass briefly summarized his request seeking an exception to the requirements of Part 2601, Chapter 1, Rule 1.3 of the Board's Administrative Code, which states a physician who has not actively practiced for three (3) years shall be required to complete a Board approved assessment program to assure post-licensure competency. Dr. Hillegass had not practiced clinically since 2018 and had not completed an approved assessment program.

Dr. Hillegass briefly summarized his practice history including when he ended his clinical practice in Birmingham in 2018 and joined UMMC in a Research, teaching, and administrative role for the past five years. Dr. Hillegass briefly outlined a plan with Dr. McMullan and another cardiologist and faculty member at UMMC to follow, review his first fifty outpatient clinic visits followed with quarterly review of his initial two years of clinical practice in lieu of an assessment program.

Dr. McMullan joined the meeting in support of Dr. Hillegass's petition for the rule exemption.

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 for Dr. Hillegass with Dr. McMullen, to meet with the Executive Director, Dr. Cleveland to prepare a clinical practice re-entry program to be presented to the Board in March.

EXECUTIVE COMMITTEE MEETING MINUTES
JANUARY 10, 2024
Page 3

**PURSUANT TO MS CODE § 73-25-61 A MATTER FOR REVIEW AND DISCUSSION
TO BE HELD IN EXECUTIVE SESSION DUE TO MATERIAL BEING EXEMPT FROM
THE PUBLIC RECORDS ACT.**

Dr. Owens advised the Board that this matter is under the disabled or impaired physician law and will be necessary to be held in executive session. Dr. Owens requested the Board close the meeting to go into executive session. A motion was made by Dr. Joiner, seconded by Dr. Lippincott, and carried that the Board meeting be closed to discuss a matter in executive session pursuant to MS Code § 73-25-61. Upon a motion by Dr. Lippincott, seconded by Dr. Joiner and carried unanimously, the Board 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** the request for a waiver.

ZOOM APPEARANCE BY JAMES CLAY HAYS, Jr., M.D.
MISSISSIPPI MEDICAL LICENSE 13178

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

Dr. Hays briefly summarized his request seeking an exception of Rule 1.4, Extended Mileage of the Collaboration with Nurse Practitioners, Part 2630. Jackson Heart Clinic has five locations throughout the state and six rotating physicians with a distance greater than 75 miles. Dr. Hays with Jackson Heart Clinic would like to utilize the Nurse Practitioner to follow-up with cardiac patients at the Louisville location.

Amanda Barry, APRN, joined the meeting in support of Dr. Hays' waiver request. Ms. Barry briefly advised she will be performing the follow up of the cardiac patients in collaboration with Dr. Hays at the Louisville location.

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. Lippincott, seconded by Dr. Joiner 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 was to **APPROVE** the request for a waiver.

EXECUTIVE COMMITTEE MEETING MINUTES

JANUARY 10, 2024

Page 4

Dr. Owens recused herself as the next appearance to request a waiver of a rule. She turned the meeting over to Dr. Lippincott, Vice President, who advised that Dr. Kinard would be appearing virtually to fill in on the Executive Committee.

PERSONAL APPEARANCE BY MICHELLE OWENS, M.D. MISSISSIPPI MEDICAL LICENSE 18817

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

Dr. Owens briefly summarized her request seeking an exception to the regulation, Collaboration with Nurse Practitioners, Part 2630, Rule 1.2, the 20/80 hour in-state physician practice requirement and Rule 1.4, Extended Mileage. Dr. Owens' introduced herself as a Maternal and Fetal Medicine Specialist, an Obstetrician Gynecologist by training. Dr. Owens' request is for the Organization, Converge Partners in Health, that is providing Title X services throughout the state of Mississippi. Dr. Owens further summarized the clinical and telehealth plans to provide this specialized care to areas that otherwise would not have.

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

Upon a motion by Dr. Kinard, seconded by Dr. Joiner and carried, the Executive Committee came out of Executive Session at which time Dr. Lippincott asked Dr. Joiner to report the Executive Committee's decision. Dr. Joiner reported that the decision was to **APPROVE** the request for a waiver.

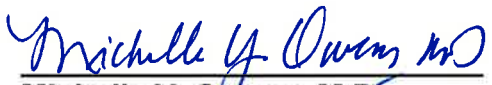
EXECUTIVE DIRECTOR REPORT TO THE EXECUTIVE COMMITTEE

Dr. Cleveland provided a brief summary regarding events and activities for the months of November and December 2023. Dr. Cleveland reported that he continued to meet with other Healthcare Boards and the Mississippi Physician Health Program on a monthly basis. He reported his activity regarding regulatory compliance meetings with Licensees and meeting with the OLRC who approved the repeal of the Bariatric regulation and approval of the change in the definition of prescriptive authority. Working with the Board of Pharmacy regarding FDA regulations in relation with compounding drugs. Meetings with an Ambulatory Center and their Attorney about CRNAs collaboration with Anesthesiologists. He has met with legislators to discuss the changes for the Medical Practice Act Bill.

EXECUTIVE COMMITTEE MEETING MINUTES
JANUARY 10, 2024
Page 5

ADJOURNMENT

There being no further business, the meeting was adjourned on Wednesday, January 10, 2024, at 3:05 p.m.



Michelle Y. Owens, M.D.
President

Minutes taken and transcribed.
By Frances Carrillo
Executive Assistant
January 10, 2024

Executive Committee Meeting Agenda
Mississippi State Board of Medical Licensure
Wednesday, January 10, 2024
1:00 pm

1. Zoom Appearance by Jennifer O'Brien, M.D., PhD
Applicant

2. Personal Appearance by William Hillegass, M.D.
Applicant

3. Pursuant to MS Code §73-25-61 A matter for Review and discussion to be held
in executive session due to material being exempt from the public records act.

4. Zoom Appearance by James Clay Hays, M.D.
Mississippi Medical License 13178

5. Personal Appearance by Michelle Owens, M.D.
Mississippi Medical License 18817



MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

**Agreement to Appear Informally Before Executive Committee
by Applicant For Licensure**

I, Jennifer Jane O'Brien have requested an opportunity to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss my pending application for a Mississippi medical license, 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 Committee or its staff, and to give the Committee or its staff an opportunity to ask questions of me. Because the meeting is informal, no disciplinary action will be taken without my express written consent. In so doing, I have been advised and understand the following:

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

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

without legal counsel present

EXECUTED, this the 12 day of December, 2023.

Licensee: Jennifer O'Brien, MD, PhD

Witness: [Signature]
Donny Damari, MD



MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
Agreement to Appear Informally Before Executive Committee
by Applicant For Licensure

I, **William B. Hillegass, MD** have requested an opportunity to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss my pending application for a Mississippi medical license, 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 Committee or its staff, and to give the Committee or its staff an opportunity to ask questions of me. Because the meeting is informal, no disciplinary action will be taken without my express written consent. In so doing, I have been advised and understand the following:

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

with legal counsel present (name of counsel: _____)

without legal counsel present

EXECUTED, this the 15th day of December, 2023.

Licensee: William B. Hillegass

Witness: Karen C. Klein



MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

Agreement to Appear Informally Before Executive Committee by Licensee Requesting Rule Exception(s)

I, _____, have requested an opportunity to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss my request for exception(s) to certain rules or requirements found in Administrative Code or state statute. It is the purpose of this informal meeting to discuss the facts surrounding my request, to give me an opportunity to present documentation and ask questions of the Committee or its staff, and to give the Committee or its staff an opportunity to review any documentation and 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 documentation or materials concerning my request(s).
3. I agree that presentation to and consideration by the Committee of any facts, matters, and documents pertaining to my request(s) shall not unfairly or illegally prejudice the Committee members from further participation or consideration, in the event a formal hearing is later conducted based on the information discussed. Further, 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 _____ day of _____, _____.

Licensee: J. Clay Hays, Jr., MD

Witness: Stephanie Carr



MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

Agreement to Appear Informally Before Executive Committee by Licensee Requesting Rule Exception(s)

I, **Michelle Y. Owens, MD, MS**, have requested an opportunity to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss my request for exception(s) to certain rules or requirements found in Administrative Code or state statute. It is the purpose of this informal meeting to discuss the facts surrounding my request, to give me an opportunity to present documentation and ask questions of the Committee or its staff, and to give the Committee or its staff an opportunity to review any documentation and 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 documentation or materials concerning my request(s).
3. I agree that presentation to and consideration by the Committee of any facts, matters, and documents pertaining to my request(s) shall not unfairly or illegally prejudice the Committee members from further participation or consideration, in the event a formal hearing is later conducted based on the information discussed. Further, I will not object to any of the Committee members from further participating in subsequent meetings or hearings that may be conducted in relation to this matter.
4. By signing my name in the space provided below, I hereby authorize the Executive Committee to proceed with the informal appearance, subject to the stipulations and understandings as noted above. I have elected to proceed:

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

without legal counsel present

EXECUTED, this the 18 day of December, 2023.

Licensee: Michelle Y. Owens

Witness: Jody Owens II