

**BOARD MINUTES  
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE  
FEBRUARY 1, 2018**

The regularly scheduled meeting of the Mississippi State Board of Medical Licensure was held on Thursday, February 1, in the Board Room of the Office of the Board located at 1867 Crane Ridge Drive, Jackson, Mississippi.

**THE FOLLOWING MEMBERS WERE PRESENT:**

Charles D. Miles, M.D., West Point, President  
Claude D. Brunson, Jackson, Vice President  
J. Ann Rea, M.D., M.D., Columbus, Secretary  
S. Randall Easterling, M.D., Vicksburg  
Virginia M. Crawford, M.D, Hattiesburg  
C. Kenneth Lippincott, M.D., Tupelo  
William S. Mayo, D.O., Oxford  
David W. McClendon, Jr., M.D., Ocean Springs

**ALSO PRESENT:**

Stan T. Ingram, Complaint Counsel for the Board  
Jeff Jernigan, Special Assistant Attorney General  
Rhonda Freeman, Director, Licensure Division  
Leslie Ross, Director of Investigations  
Jonathan Dalton, Investigations Supervisor  
Frances Carrillo, Staff Officer  
Maj Gen (Ret) Erik Hearon, Consumer Health Committee  
Charles Thomas, Yazoo City, Consumer Health Committee  
Wesley Breland, Hattiesburg, Consumer Health Committee

**NOT PRESENT:**

Michelle Y. Owens, M.D., Jackson

The meeting was called to order at 9:00 a.m. by Dr. Miles, President. The invocation was given by Dr. McClendon and the pledge was led by Dr. Easterling. Dr. Miles recognized the new Representative from the Attorney General's Office, Mr. Jeff Jernigan. Dr. Miles welcomed Alisha Johnson, Court Reporter, and extended a welcome to all visitors present at the meeting.

**PUBLIC COMMENTS**

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

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### **APPROVAL OF CERTIFICATIONS TO OTHER ENTITIES**

310 licenses were certified to other entities.

Motion was made by Dr. Easterling, seconded by Dr. Crawford, and carried unanimously to approve.

### **APPROVAL OF LICENSES ISSUED**

101 licenses were issued.

Motion was made by Dr. Easterling, seconded by Dr. Crawford, and carried unanimously to approve.

### **INVESTIGATIVE REPORT FOR NOVEMBER 1, 2017 - DECEMBER 31, 2017**

Ms. Ross reported:

Number of complaints received: 37

Number of cases closed: 21

Total number of open cases: 229

Number of complaints sent to licensee for response: 24

Number of FSMB reports re licensees: 34

Number of NPDB reports re licensees: 6

Recidivism appearances (counted as a previous EC visit and/ or appearance before the Board): 0

- Licensees w/ 2 appearances: 0

- Licensees w/ 3 appearances: 0

- Licensees w/ 4 appearances: 0

Number of disciplinary actions taken by the Board: 2

- License revocations: 2

Motion was made by Dr. Rea, seconded by Dr. Brunson, and carried unanimously to approve.

### **REVIEW OF MINUTES OF THE EXECUTIVE COMMITTEE MEETING DATED NOVEMBER 15, 2017, AND MINUTES OF THE BOARD MEETING DATED NOVEMBER 16, 2017**

Upon review of the minutes of the Executive Committee Meeting dated November 15, 2017, and minutes of the board meeting dated November 16, 2017, Dr. Mayo moved for approval of the minutes as submitted. Dr. Easterling seconded the motion and it carried unanimously.

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### REPORT OF JANUARY 31, 2018, EXECUTIVE COMMITTEE MEETING

Dr. Miles briefly discussed the issues/appearances that were discussed by the Executive Committee on January 31, 2018. Information pertaining to the Executive Committee's decisions/recommendations is included in the Executive Committee Minutes.

Motion was made by Dr. Miles, seconded by Dr. Easterling to enter in Executive Session to discuss the Executive Committee appearances heard in Executive Session.

Motion was made by Dr. Crawford, seconded by Dr. Rea, and carried unanimously to ratify the decisions/recommendations of the Executive Committee.

### EXECUTIVE DIRECTOR

Dr. Miles advised that he and the Board were pleased to announce and introduce the Board's new Executive Director, Kenneth Cleveland, M.D. Dr. Miles briefly summarized Dr. Cleveland's education and career.

### REPORTS FROM COMMITTEES

**Scope of Practice** - Dr. Easterling (Chair), Dr. Brunson, Dr. Miles, Dr. Rea, Dr. Owens, Mr. Thomas

Dr Easterling advised there was no new information to report.

**Professionals Health Program** - Dr. Crawford (Chair), Dr. Lippincott, Dr. McClendon, Dr. Rea

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

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

Dr. Mayo advised the committee was continuing to work on the proposed **Rule 2640, Chapter 1: Rules Pertaining to Prescribing, Administering and Dispensing of Medication**. Proposed changes for the full Board's consideration;

**Rule 1.3** in the second paragraph refers to utilization of the MPMP; Changing to, ***Licenses who issue a prescription for Lomotil, Lyrica, Testosterone, or Amphetamines prescribed to pediatric patients under the age of sixteen (16) for the treatment of ADHD, are not required in that instance to utilize the MPMP as stated herein.***

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***Rule 1.7 Use of Controlled Substances for Chronic (Non-Terminal) Pain.***

***H. Adding the statement, Additional ten (10) day supplies, with one (1) refill, may be issued if deemed medically necessary and only if supported by additional clinical evaluation.***

***Rule 1.7 L Use of Controlled Substances for Chronic (Non-Terminal) Pain.***

***L. Recommended change from point of service for each and every time a prescription is written for Schedule II medication to; Point of service drug testing must be done at least three (3) times per calendar year when Schedule II medication is written for the treatment of chronic non-cancer/non-terminal pain.***

***Rule 1.11 Prescription Guidelines - All Medications.***

***A. Prescriptions may not be written outside of a valid licensee-patient relationship. While not all of the elements in subsection A are necessary each time a prescription is authorized (e.g., via appropriate telemedicine as defined in Rule 5.5 of Part 2635, calling in refills, taking call for a practice partner for short term care, etc.), all initial encounters, and at reasonable intervals thereafter, should conform to this rule and be done pursuant to a valid licensee-patient relationship.*** Language was added and changed for clarification.

Dr. Easterling added, the change from initial visit of each patient in a pain management practice must be done by a physician recommending changing to;

***Rule 1.14 Pain Management Medical Practice.***

***M. Prior to the initial issuance of an opioid and/or benzodiazepine for the treatment of chronic non-cancer/non-terminal pain, each patient in a pain management practice must have an in-person evaluation by a registered pain management physician.***

Dr. Mayo moved for approval of the above revisions as submitted, and it carried unanimously.

**Telemedicine I Interstate Licensure Compact - Dr. Brunson (Chair), Dr. Crawford, Dr. Hall, Ms. Freeman, Maj Gen (Retired) Hearon**

**Interstate Licensure Compact;** Dr. Brunson advised that to become a State of Primary Licensure in the Compact the Board had to certify the FBI background check can be used by other states to certify our physicians who are obtaining multiple state licenses. This was accomplished with the FBI and the Mississippi State Department of Safety and now is in effect for Mississippi to become State of Primary Licensure.

**Telemedicine;** Dr. Brunson advised that the Board had received a request to change the Rules and Regulations for the telemergency regulation which was addressed at the last Board meeting. Further discussion is planned in meeting with the major stakeholders in telemedicine in the State of Mississippi to develop recommendations for changes in the telemedicine regulation.

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Licensee Education and Communication - Dr. Easterling (Chair), Dr. Brunson, Dr. Crawford, Dr. Rea, Ms. Freeman

Dr. Easterling advised there was no new information to report.  
Physician Assistant Advisory Task Force - Dr. Crawford (Chair), Robert Philpot, Jr., PhD, PA-C Tristen Harris, PA-C Lauren English, Phyllis Johnson, Board of Nursing, Ms. Freeman, PA-C Leah Calder, PA-C Gavin Nowell

Dr. Crawford advised there no meeting this month.

### EXECUTIVE DIRECTOR

Dr. Miles advised that he and the Board were pleased to announce and introduced the Board's new Executive Director, Kenneth Cleveland, M.D., Dr. Miles briefly summarized Dr. Cleveland's education and career.

### REGULATION PART 2630, CHAPTER 1: COLLABORATION WITH NURSE PRACTITIONERS, PROPOSED CHANGES

Dr. Mayo advised recommendations to the Board is as follows: Under Rule 1.2., Add the definition for Primary Care Physician, ***“Primary Care Physician” means a physician whose practice is limited to, or defined as, Family Practice, General Internal Medicine, and/or General Pediatrics.***

***Rule 1.5 Primary Care Extended Mileage. Primary care physicians, as defined in Rule 1.2, shall have no mileage restrictions placed on the collaborative agreement between the physician and the nurse practitioner if the following conditions are met:***

- 1. The collaborative agreement is between a primary care physician and a primary care nurse practitioner.***
- 2. The physician is in a compatible practice (e.g., same specialty, treat the same patient population, etc.) with the nurse practitioner.***
- 3. The physician utilizes electronic medical records (EMR) in their practice, and also utilizes EMR in the formal quality improvement program.***
- 4. The physician practices within the State of Mississippi for a minimum of twenty (20) hours per week or eighty (80) hours per month.***

***All other requirements stated herein regarding collaborative agreements / relationships with nurse practitioners shall apply.***

Dr. Mayo moved for approval of the above revisions as submitted, and it carried unanimously.

### CONSUMER MEMBER APPOINTMENTS

Dr. Brunson advised that the Federation of State Medical Boards had inquired regarding the Consumer Members appointments. Dr. Brunson recommended submitting this

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to the Nominating Committee to review and revise so that the Consumer Members may be compensated for mileage and time for their time and service to the Board.

Dr. Brunson moved to send this to the Nominating Committee for revision, seconded by Dr. Rea, and carried unanimously to approve.

Dr. Mayo volunteered the Rules and Regulation Committee to revise and amend the Board's policy to appoint, set term limits and provide reimbursement for the appointed Consumer Members.

### **APPROVE CONSENT ORDER FOR CHARLES SAMUEL FILLINGANE, D.O., PENSACOLA, FL. MISSISSIPPI MEDICAL LICENSE NUMBER 11114**

Stan Ingram briefly summarized Dr. Fillingane's appearance before the Board for a hearing resulted in an agreement in this Consent Order for the Board's review and approval.

Motion was made by Dr. Easterling, seconded by Dr. Mayo, and carried unanimously to approve the Consent Order. A copy of the Consent Order is attached hereto and incorporated by reference.

### **APPROVE CONSENT ORDER FOR TERRENCE JOHN MILLETTE, M.D., PASCAGOULA, MS. MISSISSIPPI MEDICAL LICENSE NUMBER 09641**

Stan Ingram briefly summarized the Board received information Dr. Millette's privileges hearing resulted in an agreement in this Consent Order for the Board's review and approval.

After discussion and questions by the Board, a motion was made by Dr. Mayo, seconded by Dr. Crawford, and carried unanimously to approve the Consent Order. A copy of the Consent Order is attached hereto and incorporated by reference.

### **APPROVE CONSENT ORDER FOR ARTHUR EUGENE WOOD, M.D., III, M.D. MISSISSIPPI MEDICAL LICENSE NUMBER 09207**

Stan Ingram briefly summarized Dr. Wood's personal appearance before the Executive Committee to discuss questionable controlled substance prescribing. As a result of that appearance a Consent Order was offered to him which would require completion of continuing medical education in the areas of medical record keeping and controlled substance prescribing. Also, his practice will be subject to unannounced inspections by this Board at any time for the next twelve months. Licensee has agreed and signed a Consent Order submitting for the Board's review and approval.

A motion was made by Dr. Rea, seconded by Dr. Mayo, and carried unanimously to approve the Consent Order. A copy of the Consent Order is attached hereto and incorporated by reference.

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### **LICENSURE STATUS UPDATE ON ROBERT BLAIR LEE, M.D., OCEAN SPRINGS, MS MEDICAL LICENSE NUMBER 10711**

Mr. Ingram advised the Board this case was placed in abeyance as a result of action taken by the Kentucky Board of Medical Licensure. Licensee agreed not to practice medicine in Mississippi under any circumstances until he has resolved his licensure problems in Kentucky regarding competency. Dr. Lee is currently under an Order of Temporary Suspension pending a Hearing since September 7, 2017.

Neely C. Lyons, counsel for Licensee updated the Board with Licensee's plan to resolve his licensure issues with the Kentucky Medical Board. Dr. Lee's licensure status in Kentucky, the Order of Temporary Suspension is to remain in effect.

### **REQUEST TO LIFT CONSENT ORDER OF JAMES AIKEN, M.D., NEW ORLEANS, LA MEDICAL LICENSE NUMBER 24302**

Stan Ingram provided the Board with a brief background of Licensee entering into a Consent Order as a condition for the issuance of a Mississippi medical license based on action taken by the Louisiana Board of Medical Examiners (LBME). Mr. Ingram advised that LBME has lifted all restrictions and Licensee now has an unrestricted license in Louisiana.

Mr. Ingram entered several documents into the record.

Dr. Aiken addressed the Board and gave a brief summary of his practice in Mississippi and advised of plans for future practice.

Dr. Scott Hambleton, Medical Director of the Mississippi Physician Health Program (MPHP) advised the Board of Licensee's compliance with the Professional Health Programs in Louisiana and Mississippi. Dr. Hambleton advised that the MPHP supports Dr. Aiken's request for an unrestricted Mississippi medical license.

Mr. Ingram advised that Dr. Aiken is petitioning the Board to request the lifting of his Consent Order dated May 19, 2016.

A motion was made by Dr. Rea, seconded by Dr. Easterling and carried to grant the request. A copy of the Order is attached hereto and incorporated by reference.

### **HEARING IN THE CASE OF NATHANIAL BROWN, M.D., CLEVELAND, MS MEDICAL LICENSE NUMBER 10093**

Mr. Ingram entered into the record that Dr. Brown nor is anyone on his behalf, was present on this date for the hearing.

Mr. Ingram entered several exhibits into the record.

Mr. Ingram briefly summarized the facts regarding the case of Dr. Brown.

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Mr. Ingram provided the Board with a brief background and advised that on July 20, 2016, the Federal Grand Jury indicted Dr. Brown before the United States District Court of the Northern District setting forth several allegations against him including conspiracy to defraud the Medicare / Medicaid system healthcare fraud conspiracy. Mr. Ingram advised that Dr. Brown pled guilty to Medicare / Medicaid fraud as a result of his receiving payments for diagnosing patients for hospice care when in fact those patients did not qualify for hospice care.

On November 21, 2016, Licensee entered into a plea agreement with the United States District Court under Rule 11c, under the plea agreement he would plead guilty to one count of conspiracy of the indictment. On August 10, 2017, Senior U.S. District Court Judge Neal Biggers rendered a judgement and imposed a sentence and committed Licensee to custody of the United States Bureau of Prisons for thirty-nine (39) months. On the count one of the indictment he was ordered to surrender for service on October 9, 2017, upon his release from prison he will be on supervised release for a term of three years on the count of conspiracy.

Following questions by the Board, a motion was made by Dr. Mayo, seconded by Dr. Crawford and carried that the Board enter into Executive Session to discuss a matter that could result in appealable order.

Upon a motion by Dr. Mayo, seconded by Dr. Crawford and carried the Board came out of Executive Session at which time Dr. Miles asked Dr. Rea to report on its decision. Dr. Rea advised that the Board finds Licensee guilty of Count One and Count Two. The Board revokes Dr. Brown's Mississippi medical license.

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

A verbatim account of this proceeding was recorded by Alisha Johnson, Court Reporter with Cite, LLC.

### **HEARING IN THE CASE OF ROME SHERROD, II, M.D., HORN LAKE, MS MEDICAL LICENSE NUMBER 09374**

Mr. Ingram advised the Board that in lieu of a hearing, on January 17, 2018, Dr. Sherrod has submitted a Letter voluntarily surrendering his medical license to practice. This letter will be submitted to the Board as a Voluntary Surrender of License which will be a reportable event to the National Practitioner Data Bank.

A motion was made by Dr. Mayo, seconded by Dr. Crawford and carried to accept the Voluntary Surrender of Dr. Sherrod's Mississippi medical license. A copy of the Letter is attached hereto and incorporated by reference.



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**REQUEST TO LIFT CONSENT ORDER OF DONALD VINCENT CONERLY, M.D., PETAL, MS. MISSISSIPPI MEDICAL LICENSE NUMBER 07182**

Mr. Ingram advised that Dr. Conerly had not yet arrived and provided the Board a brief background summarizing the events leading to Dr. Conerly's executed Consent Order dated March 16, 2017. Mr. Ingram introduced Philip Chapman, as counsel for Dr. Conerly. Mr. Chapman answers questions from the Board. The Board continued with the next agenda item to await Dr. Conerly's arrival.

**REQUEST TO LIFT CONSENT ORDER OF KEITH M. SIMNIGHT, M.D., PETAL, MS MEDICAL LICENSE NUMBER 14595**

Mr. Ingram provides the Board with a brief summary of Dr. Simnicht's case and that he is appearing to request removal of restrictions on his medical license by execution of a Consent Order dated January 12, 2017.

Dr. Simnicht addresses the Board requesting to lift the Consent Order. Licensee reports his compliance with all the terms of the Consent Order and subsequent reports to the Board. Licensee answers questions from the Board.

After discussion and questions by the Board, a motion was made by Dr. Mayo, seconded by Dr. Brunson and carried that the Board will lift the Consent Order requirement of the monitoring of Licensee's practice with the understanding that Board may review records during the probationary period. The remainder of the Consent Order will remain in place until the twelve (12) month Boundary and Ethics Course follow up has been completed. At that time the Board may consider lifting the entire Consent Order without a personal appearance by Licensee, provided documentation has been received by the Board.

**REQUEST TO LIFT CONSENT ORDER OF DONALD VINCENT CONERLY, M.D., PETAL MS MEDICAL LICENSE NUMBER 07182 CONTINUED**

Mr. Ingram introduced Dr. Conerly who addressed the Board in requesting to lift the Consent Order dated March 16, 2017, and to be authorized to reapply for a DEA certificate and collaborate with Nurse Practitioners.

After discussion and questions by the Board, a motion was made by Dr. Mayo, seconded by Dr. McClendon and carried that the Board will lift the conditions of the Consent Order effective March 16, 2018. At that time Licensee may reapply for a DEA certificate. Licensee will follow the Consent Order until that time and will not be required to reappear before the Board in March.

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**APPROVAL OF BOARD MEMBERS AND STAFF TO ATTEND THE 106TH ANNUAL FEDERATION OF STATE MEDICAL BOARD MEETINGS IN CHARLOTTE, NC, APRIL 26-28, 2018**

There were questions and discussion regarding Consumer Members attending the Federation of State Medical Board's annual meeting. The Board President reappointed all three Consumer Members for a term of three years. Mr. Wesley Breland of Hattiesburg, Maj. Gen. Erik Hearon of Jackson and Mr. Charles Thomas of Yazoo City are reappointed effective February 1, 2018.

Motion was made by Dr. Miles, seconded by Dr. Mayo, and carried for members of the Board, Consumer Member and staff to attend the Federation of State Medical Board meetings in Charlotte, NC, April 26 - 28, 2018.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 11:40 a.m., with the next meeting scheduled for the Executive Committee Meeting for Wednesday, March 21 and Thursday, March 22, 2018.

There being no further business, the meeting adjourned at 3:35 p.m.



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**Charles D. Miles, MD**  
**President**

**Minutes taken and transcribed**  
**By Frances Carrillo**  
**Staff Officer**  
**February 1, 2018**

EXECUTIVE SESSION

DATE: February 1, 2018

AGENDA ITEM: Approval for Consent Order of Charles Samuel Fillingane, M.D.

MOTION:

Open session

MADE BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Charles D. Miles, M.D.	X	_____	_____	_____
Claude D. Brunson, M.D.	X	_____	_____	_____
J. Ann Rea, M.D.	X	_____	_____	_____
C. Ken Lippincott, M.D.	X	_____	_____	_____
William S. Mayo, D.O.	X	_____	_____	_____
W. David McClendon, M.D.	X	_____	_____	_____
Virginia M. Crawford, M.D.	X	_____	_____	_____
Michelle Y. Owens, M.D.	_____	_____	_____	_____
S. Randall Easterling, M.D.	X	_____	_____	_____

MOTION TO GO OUT OF EXECUTIVE SESSION: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

RECORDED BY: Dr. Rea

Check One (1):

- Public Action
- Disciplinary Action
- License Restriction

\*If the action is a restriction, language must be added that the licensee may not collaborate or supervise mid-level providers



Charles D. Miles, M.D.  
President

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

**IN THE MATTER OF THE PHYSICIAN'S LICENSE**

**OF**

**CHARLES SAMUEL FILLINGANE, D.O.**

**CONSENT ORDER**

**WHEREAS**, Charles Samuel Fillingane, D.O., hereinafter referred to as "Licensee," having an address of 154 Ethel Wingate Drive, Unit 401, Pensacola, Florida 32507, is the current holder of License No. 11114 for the practice of medicine in the State of Mississippi;

**WHEREAS**, there is now pending before the Mississippi State Board of Medical Licensure, hereinafter referred to as "Board," that certain Summons and Affidavit charging Licensee with violation of the Mississippi Medical Practice Act and specifically, Subsections (3), (8)(d), (8)(f), (9), (12) and (13) of Miss. Code Ann. §73-25-29 and §73-25-83(a);

**WHEREAS**, the Board has agreed to dismiss the aforementioned charges and in lieu thereof, Licensee has agreed to submit to an evaluation pursuant to the Mississippi Disabled Physician Law, being Miss. Code Ann. §73-25-51 et seq., and comply with to the terms as specified below:

**NOW THEREFORE**, Licensee, with the consent of the Mississippi State Board of Medical Licensure, as signified by its joinder herein, agrees as follows:

1. Licensee shall take immediate steps to contact the medical director of the Mississippi Professional Health Program (MPHP), disclose all facts which prompted Licensee's execution of this Consent Order and make arrangements to submit to evaluation for potential mental or emotional impairment at a facility approved in advance and in writing by the MPHP. By executing this Consent Order, Licensee authorizes the Board and MPHP to fully disclose and share with such facility any and all information regarding Licensee which the MPHP may, in its discretion, deem necessary to evaluate and/or advise Licensee. Upon conclusion of the evaluation, a report shall be sent to the MPHP with a copy to the Board's Executive Director. In the event it is the recommendation of the evaluating facility that Licensee is in need of treatment, Licensee shall comply with all of such recommendations.
2. Within six (6) months from the date of the Board's acceptance of this Order, Licensee shall enroll and successfully complete AMA Category 1 CME (Continuing Medical Education) course in the area of Medical Ethics, said course to be selected from the list of Board approved courses attached hereto as Exhibit "A". Following completion of the course, Licensee shall submit to the Board documentary proof of successful completion. This is in addition to the forty (40) hours of Category 1 CME requirements as cited in Title 30, Part 2610, Chapter 2 of the Board's Rules and Regulations.
3. 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 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 at the address shown above.

While this Consent Order shall not be deemed disciplinary action, Licensee understands and expressly acknowledges that this Consent Order shall constitute a public record of the State of Mississippi.

EXECUTED, this the 3<sup>rd</sup> day of December, 2017.

By: Charles Samuel Fillingane, D.O.  
Charles Samuel Fillingane, D.O.

ACCEPTED, this the 1<sup>st</sup> day of <sup>February</sup> ~~December~~, ~~2017~~: 2018

Mississippi State Board of Medical Licensure

By: Charles D. Miles, M.D.  
Charles D. Miles, M.D., President

EXECUTIVE SESSION

DATE: February 1, 2018

AGENDA ITEM: Approval of Consent Order of Terrence John Millette, M.D.

MOTION

Open Session

MADE BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Charles D. Miles, M.D.	X	_____	_____	_____
Claude D. Brunson, M.D.	X	_____	_____	_____
J. Ann Rea, M.D.	X	_____	_____	_____
C. Ken Lippincott, M.D.	X	_____	_____	_____
William S. Mayo, D.O.	X	_____	_____	_____
W. David McClendon, M.D.	X	_____	_____	_____
Virginia M. Crawford, M.D.	X	_____	_____	_____
Michelle Y. Owens, M.D.	_____	_____	_____	X
S. Randall Easterling, M.D.	X	_____	_____	_____

MOTION TO GO OUT OF EXECUTIVE SESSION: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

RECORDED BY: Dr. Rea

Check One (1):

- Public Action
- Disciplinary Action
- License Restriction

*\*If the action is a restriction, language must be added that the licensee may not collaborate or supervise mid-level providers*



Charles D. Miles, M.D.  
President

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

**OF**

**TERRENCE JOHN MILLETTE, M.D.**

**CONSENT ORDER**

**WHEREAS, TERRENCE JOHN MILLETTE, M.D.**, hereinafter referred to as "Licensee," is the current holder of Mississippi Medical License Number 09641 and said license is current until June 30, 2018;

**WHEREAS**, the Investigative Staff of the Mississippi State Board of Medical Licensure, hereinafter referred to as the "Board," has conducted an investigation of Licensee and has in its possession evidence which, if produced during the course of an evidentiary hearing, would substantiate grounds upon which the Board may discipline Licensee pursuant to the Mississippi Medical Practice Law;

**WHEREAS**, the Mississippi State Board of Medical Licensure has been notified that during 2016, questions were raised within Singing River Health Systems (SRHS), Pascagoula, Mississippi, concerning Licensee's practice of diagnosing and treating patients with multiple sclerosis ("MS"). Those questions lead to a peer review committee and then the Medical Executive Committee to review Licensee's medical activity as it related to MS. On November 15, 2016, during the MEC process, Licensee resigned his employment with SRHS and his privileges were temporarily restricted as they related to MS. On December 13, 2016, while the MEC process was still ongoing, Licensee agreed to an indefinite voluntary restriction from exercising clinical privileges to diagnose and



manage patients with demyelinating disorders at SRHS until he successfully completed a voluntary remediation plan agreed-upon by Licensee and the MEC;

**WHEREAS**, such conduct is in violation of the Mississippi Medical Practice Act, specifically Miss. Code Ann., §73-25-83(c), 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 conditions being 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, enters into this Consent Order and places the following terms, conditions, and restrictions on Licensee's Mississippi medical license, to wit:

1. Licensee shall submit as soon as possible, and successfully complete, a clinical competence assessment program at a Board approved facility/program, such as that offered by The Center for Personalized Education for Physicians (CPEP), specifically assessing his treatment of neurological cases, with a focus on MS patients. Licensee shall bear all costs associated with said evaluation.
2. Upon receipt of the CPEP assessment report, the Board reserves the right to request Licensee to informally appear before the Board or its executive committee to discuss the findings and recommendations. Licensee agrees

to implement any and all recommendations made by the aforementioned assessment program and, further, understands and agrees to any additional practice restriction(s) which may be necessary based upon the results of said assessment.

3. Licensee shall obey all federal, state and local laws, as well as comply with all rules and regulations of the Board governing the practice of medicine. Any further acts of misconduct will result in further action.
4. 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.
5. 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 said notice is mailed to Licensee via U.S. Mail to Licensee's current mailing address on file with 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 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.

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.

Further, it is not the intent or purpose of this Order to encourage malpractice liability as a result of Board action. Therefore, by execution and entry of this Consent Order, Licensee is not admitting to or acknowledging any conduct or act(s) of malpractice.

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 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 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, **TERRENCE JOHN MILLETTE, 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, thereby imposing the above terms and conditions on his license to practice medicine in the state of Mississippi.

EXECUTED, this the 18<sup>th</sup> day of December, 2017.

  
TERRENCE JOHN MILLETTE, M.D.

ACCEPTED AND APPROVED this the 7 day of <sup>February 2018</sup> ~~December, 2017~~ by the Mississippi State Board of Medical Licensure.

  
Charles D. Miles, M.D.  
Board President

EXECUTIVE SESSION

DATE: February 1, 2018

AGENDA ITEM: Approval of Consent Order of Authur Eugene Wood, III, M.D.

MOTION

Open Session

MADE BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Charles D. Miles, M.D.	X	_____	_____	_____
Claude D. Brunson, M.D.	X	_____	_____	_____
J. Ann Rea, M.D.	X	_____	_____	_____
C. Ken Lippincott, M.D.	X	_____	_____	_____
William S. Mayo, D.O.	X	_____	_____	_____
W. David McClendon, M.D.	X	_____	_____	_____
Virginia M. Crawford, M.D.	X	_____	_____	_____
Michelle Y. Owens, M.D.	_____	_____	_____	X
S. Randall Easterling, M.D.	X	_____	_____	_____

MOTION TO GO OUT OF EXECUTIVE SESSION: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

RECORDED BY: Dr. Rea

Check One (1):

- Public Action
- Disciplinary Action
- License Restriction

*\*If the action is a restriction, language must be added that the licensee may not collaborate or supervise mid-level providers*



Charles D. Miles, M.D.  
President

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

**IN THE MATTER OF THE PHYSICIAN'S LICENSE**

**OF**

**ARTHUR EUGENE WOOD, III, M.D.**

**CONSENT ORDER**

**WHEREAS**, Arthur Eugene Wood, III, M.D., hereinafter referred to as "Licensee," having an address of 951 Matthew Drive, Waynesboro, Mississippi 39367, is the current holder of License No. 09207, for the practice of medicine in the State of Mississippi;

**WHEREAS**, on November 15, 2017, Licensee appeared before the Executive Committee of the Mississippi State Board of Medical Licensure, hereinafter referred to as "Board," to discuss issues regarding his prescribing of controlled substances;

**WHEREAS**, the Board believes that Licensee could benefit from additional continuing medical education and periodic monitoring by the Board:

**NOW THEREFORE**, Licensee, with the consent of the Mississippi State Board of Medical Licensure, as signified by its joinder herein, agrees as follows:

1. Within six (6) months from the date of the Board's acceptance of this Order, Licensee shall enroll and successfully complete an AMA Category 1 CME (Continuing Medical Education) course in the area of prescribing, administering or dispensing of controlled substances, said course to be selected by Licensee from the list of Board approved courses attached hereto as Exhibit "A" and incorporated herein by reference. Following completion of the course, Licensee

shall submit to the Board documentary proof of successful completion. This is in addition to the forty (40) hours of Category 1 CME requirements as cited in Title 30, Part 2610, Chapter 2 of the Board's Rules and Regulations.

2. For a period of twelve (12) months from date of the Board's acceptance of this Order, Licensee's practice will be subject to periodic monitoring by the Board. At anytime during normal business hours, the Board's executive director or investigative staff may conduct an inspection of Licensee's clinic for the purpose of reviewing patient records, inventory and dispensing logs pertaining to the prescribing, administering and dispensing of control substances.

While this Consent Order shall not be deemed disciplinary action and is deemed non-reportable, Licensee understands and expressly acknowledges that this Consent Order shall constitute a public record of the State of Mississippi.

**EXECUTED**, this the 21 day of December, 2017.

By: Arthur Eugene Wood  
Arthur Eugene Wood, M.D.,

**ACCEPTED**, this the 1 day of February 2018 ~~December, 2017~~.

Mississippi State Board of Medical Licensure

By: Charles D. Miles  
Charles D. Miles, M.D., President

**EXECUTIVE SESSION**

DATE: February 1, 2018

AGENDA ITEM: Request to lift Consent Order of James Aiken, M.D.

MOTION

Open Session

MADE BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Charles D. Miles, M.D.	X	_____	_____	_____
Claude D. Brunson, M.D.	X	_____	_____	_____
J. Ann Rea, M.D.	X	_____	_____	_____
C. Ken Lippincott, M.D.	X	_____	_____	_____
William S. Mayo, D.O.	X	_____	_____	_____
W. David McClendon, M.D.	X	_____	_____	_____
Virginia M. Crawford, M.D.	X	_____	_____	_____
Michelle Y. Owens, M.D.	_____	_____	_____	X
S. Randall Easterling, M.D.	X	_____	_____	_____


MOTION TO GO OUT OF EXECUTIVE SESSION: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

RECORDED BY: Dr. Rea

- Check One (1):
- Public Action
  - Disciplinary Action
  - License Restriction

*\*If the action is a restriction, language must be added that the licensee may not collaborate or supervise mid-level providers*

  
\_\_\_\_\_  
Charles D. Miles, M.D.  
President



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

**IN THE MATTER OF THE PHYSICIAN'S LICENSE**

**OF**

**JAMES AIKEN, M.D.**

**ORDER REMOVING RESTRICTIONS ON LICENSE**

**THIS MATTER** came on regularly for consideration on February 1, 2018, before the Mississippi State Board of Medical Licensure, in response to the request of James Aiken, M.D. (hereinafter "Licensee"), seeking removal of all restrictions on his license to the practice medicine in the State of Mississippi. By virtue of that certain Consent Order entered May 19, 2016, Licensee was granted a license to practice medicine in Mississippi, subject to certain restrictions consistent with those previously imposed by the Louisiana Board of Medical Examiners, including but not limited to, advocacy with physician health programs in both Mississippi and Louisiana, monitoring of his practice, prohibition against chronic pain or bariatric practice and completion of continuing medical education prohibition.


The Board was presented with evidence that the Louisiana Board has now removed all restrictions on Licensee's certificate to practice in that state. Further, the Board heard the testimony from both Licensee and Scott Hambleton, M.D., Medical Director of the Mississippi Professionals Health Program (MPHP), assuring the Board that Licensee has maintained and will continue to maintain advocacy from the MPHP.

**THEREFORE, IT IS HEREBY ORDERED** that all restrictions imposed by virtue of the Consent Order rendered by the Board on May 19, 2016, are hereby removed. Licensee now holds an unrestricted medical license.

**IT IS FURTHER ORDERED** that pursuant to Section 73-25-27, a copy of this Order shall be sent by registered mail or personally served upon James Aiken, M.D.

**SO ORDERED**, this the 1st day of February, 2018.

**MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE**

BY:  \_\_\_\_\_  
**CHARLES D. MILES, M.D., PRESIDENT**

**EXECUTIVE SESSION**

DATE: February 1, 2018

AGENDA ITEM: Hearing in the case of Nathaniel Brown, M.D.

MOTION:

Revoke licensee's medical license; guilty of counts 1 & 2

MADE BY: Dr. Mayo

SECONDED BY: Dr. Crawford

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Charles D. Miles, M.D.	X	_____	_____	_____
Claude D. Brunson, M.D.	X	_____	_____	_____
J. Ann Rea, M.D.	X	_____	_____	_____
C. Ken Lippincott, M.D.	X	_____	_____	_____
William S. Mayo, D.O.	X	_____	_____	_____
W. David McClendon, M.D.	X	_____	_____	_____
Virginia M. Crawford, M.D.	X	_____	_____	_____
Michelle Y. Owens, M.D.	_____	_____	_____	X
S. Randall Easterling, M.D.	X	_____	_____	_____

MOTION TO GO OUT OF EXECUTIVE SESSION: Dr. Mayo


SECONDED BY: Dr. Rea

RECORDED BY: Dr. Rea

Check One (1):

- Public Action
- Disciplinary Action
- License Restriction

*\*If the action is a restriction, language must be added that the licensee may not collaborate or supervise mid-level providers*

  
\_\_\_\_\_  
Charles D. Miles, M.D.  
President

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

**IN THE MATTER OF THE PHYSICIAN'S LICENSE**

**OF**

**NATHANIEL BROWN, M.D.**

**DETERMINATION AND ORDER**

**THIS MATTER** came on regularly for hearing on February 1, 2018, 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 December 14, 2017, by issuance of a Summons and Affidavit against Nathaniel Brown, M.D. (hereinafter "Licensee"), setting forth two (2) counts of violations of the Mississippi Medical Practice Act, specifically Count I, Miss. Code Ann. Section 73-25-29(4), and Count II, Miss. Code Ann. Sections 73-25-29(8)(d) and 73-25-83(a), all based upon Licensee having pled guilty to and having been convicted of a federal charge of illegal conspiracy to defraud a health care benefit program, that is, Medicare and Medicaid and to obtain money and property by means of false and fraudulent pretenses.

Licensee failed to appear either in person or by counsel. Complaint Counsel for the Board was Honorable Stan T. Ingram. Sitting as legal advisor to the Board was Honorable Jeffrey Jernigan, Special Assistant Attorney General. Board members present for the proceedings were Charles D. Miles, President; Claude D. Brunson, M.D.; William S. Mayo, D.O.; Virginia Crawford, M.D.; S. Randall Easterling, M.D.; Ann Rea, M.D.; Ken Lippincott, M.D.; and William D. McClendon, Jr., 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

1. That due and legal notice of the hearing of this Board for the purpose of considering disciplinary action has been given in the matter, time and form as required by law and the Rules or Regulations of this Board; and that the Board has full and complete jurisdiction to hear the Summons and Affidavit as filed herein.

2. Licensee is a physician licensed to practice medicine in the State of Mississippi, currently holding License No. 10093. Said license is current until June 30, 2018.

3. That on July 20, 2016, a federal Grand Jury Indictment was issued in the United States District Court for the Northern District of Mississippi, setting forth several allegations against Licensee, including conspiracy to defraud Medicare and Medicaid (Healthcare Fraud Conspiracy). The Indictment also set forth the Manner and Means by which the fraud was effected, certain Overt Acts, and several charges of Healthcare Fraud.

4. That on November 21, 2016, Licensee entered into a Plea Agreement with the United States, under Rule 11(c) of the Federal Rules of Criminal Procedure. Under said Plea Agreement, Licensee plead guilty, under oath, to Count One of the aforementioned Indictment, which charges that Licensee did knowingly and willfully conspire and agree with persons known and unknown to the Grand Jury, “. . . to execute

*a scheme and artifice, affecting interstate commerce, to defraud a health care benefit program, that is, Medicare and Medicaid, and to obtain money and property owned by and under the custody and control of Medicare and Medicaid, by means of false and fraudulent pretenses, representations, and promises, in connection with the delivery of and payment for health care benefits, items and services, in violation of Title 18, United States Code, Section 1347 and 1349. . ."*

5. That on August 10, 2017, Senior U.S. District Judge for the Northern District of Mississippi, Neal B. Biggers, Jr., rendered a Judgment imposing the sentencing of Licensee. Licensee was committed to the custody of the United States Bureau of Prisons for a total term of thirty-nine (39) months on Count I of the Indictment. Licensee was ordered to surrender for service of his sentence by 2 P.M. on October 9, 2017. Upon his release from prison, Licensee will be on supervised release for a term of three (3) years on Count I of the Indictment.

6. Subsequent to service of the Summons and Affidavit on Licensee, he did not file an answer or any other responsive pleading. Therefore, the Summons and Affidavit is taken as confessed.

#### **CONCLUSIONS OF LAW**

Based on the Findings of Fact noted above, Licensee is guilty of Counts I and II of the aforementioned Summons and Affidavit. Specifically, by virtue of Licensee entering into the aforementioned Plea Agreement with the United States, Licensee has plead guilty to a felony involving moral turpitude, a certified copy of the conviction order or

judgment rendered by the trial court being prima facie evidence thereof, and, by extension, the actions of Licensee which prompted his guilty plea constitute unprofessional conduct as defined in Mississippi statute, all in violation of Miss. Code Ann., §§73-25-29(4) and (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, Licensee's certificate to practice medicine in Mississippi 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. Section 73-25-30. 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 at the address shown on file at the Board.

**IT IS FURTHER ORDERED** that pursuant to Miss. Code Ann. Section 73-25-27, a copy of this Determination and Order shall be sent by registered mail or personally served upon Licensee or his counsel.

**SO ORDERED**, this the 1st day of February, 2018.

**MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE**

BY:

  
\_\_\_\_\_  
CHARLES MILES, M.D., PRESIDENT

**EXECUTIVE SESSION**

DATE: February 1, 2018

AGENDA ITEM: Hearing in the case of Rome Sherrod, II, M.D.

MOTION:

Acceptance of voluntary surrender of license

MADE BY: Dr. Mayo

SECONDED BY: Dr. Crawford

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Charles D. Miles, M.D.	_____	_____	_____	_____
Claude D. Brunson, M.D.	_____	_____	_____	_____
J. Ann Rea, M.D.	_____	_____	_____	_____
C. Ken Lippincott, M.D.	_____	_____	_____	_____
William S. Mayo, D.O.	_____	_____	_____	_____
W. David McClendon, M.D.	_____	_____	_____	_____
Virginia M. Crawford, M.D.	_____	_____	_____	_____
Michelle Y. Owens, M.D.	_____	_____	_____	_____
S. Randall Easterling, M.D.	_____	_____	_____	_____

MOTION TO GO OUT OF EXECUTIVE SESSION: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

RECORDED BY: Dr. Rea

Check One (1):

- Public Action
- Disciplinary Action
- License Restriction

*\*If the action is a restriction, language must be added that the licensee may not collaborate or supervise mid-level providers*



\_\_\_\_\_  
Charles D. Miles, M.D.  
President



MISRAIL

JAN 19 2018

4740 US Highway 51  
Apartment 19-206  
South Haven, MS 38671

January 17, 2018

Mississippi State Board of Medical Licensure  
1867 Crane Ridge Drive, Suite 200-B  
Jackson, MS 39216

Via First Class US Priority Mail **and**  
Faxed to (601) 987-4159

**RE: Voluntary surrender of license for Rome Sherrod, II, MD  
License #09374 – Issued June 9, 1981**

Licensure Board,

Please be advised that I, Rome Sherrod, II, MD do hereby voluntary surrender License #09374. Please acknowledge receipt of this surrender, and advise me if additional information is required to honor this request.

Based on this surrender, I will not attend the meeting on Thursday, January 18, 2018. I can be reached at the above address, or you can call me at (901) 494-3489.

Sincerely,



Rome Sherrod, II, MD

**EXECUTIVE SESSION**

DATE: February 1, 2018

AGENDA ITEM: Motion to lift Consent Order of Donald Vincent Conerly, M.D.

**MOTION:**

The Board will lift the condition of the consent order on March 16, 2018. At that time, the licensee may petition DEA to allow for reapplication for the DEA number. Licensee will follow the consent order until that time and will not be required to appear before the Board in March.

MADE BY: Dr. Mayo

SECONDED BY: Dr. McClendon

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Charles D. Miles, M.D.	X	_____	_____	_____
Claude D. Brunson, M.D.	X	_____	_____	_____
J. Ann Rea, M.D.	X	_____	_____	_____
C. Ken Lippincott, M.D.	X	_____	_____	_____
William S. Mayo, D.O.	X	_____	_____	_____
W. David McClendon, M.D.	X	_____	_____	_____
Virginia M. Crawford, M.D.	X	_____	_____	_____
Michelle Y. Owens, M.D.	_____	_____	_____	X
S. Randall Easterling, M.D.	X	_____	_____	_____

MOTION TO GO OUT OF EXECUTIVE SESSION: Open Session

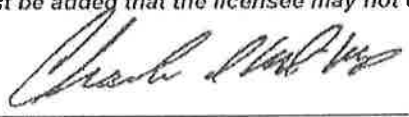
SECONDED BY: Open Session

RECORDED BY: Dr. Rea

Check One (1):

- Public Action
- Disciplinary Action
- License Restriction

*\*If the action is a restriction, language must be added that the licensee may not collaborate or supervise mid-level providers*



Charles D. Miles, M.D.  
President

**BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE**  
**IN THE MATTER OF THE PHYSICIAN'S LICENSE**  
**OF**  
**DONALD VINCENT CONERLY, M.D.**  
**ORDER REMOVING RESTRICTIONS ON LICENSE**

**THIS MATTER** came on regularly for consideration on February 1, 2018, before the Mississippi State Board of Medical Licensure, in response to the request of Donald Vincent Conerly, M.D. (hereinafter "Licensee"), seeking removal of all restrictions on his license to practice medicine in the State of Mississippi. By virtue of that certain Consent Order entered March 16, 2018, certain restrictions were placed on Licensee's certificate to practice medicine, including prohibition against collaborating with mid-level providers and surrender of controlled substances privileges with the right to reapply after a period of one (1) year.

The Board heard the testimony from Licensee and finds that he has complied in all respects with the terms and conditions of the Consent Order, but notes that the one (1) year term has not expired.

**IT IS HEREBY ORDERED** that provided Licensee remains compliant during the interim with the Order, effective March 16, 2018, the aforementioned Consent Order shall be deemed to be rescinded and all restrictions imposed by virtue thereof shall be removed.

**IT IS FURTHER ORDERED** that, assuming Licensee complies with all of the prerequisites of this Order, it will not be necessary that he appear in person at the next regularly scheduled meeting of the Board to be held March 22, 2018.

**IT IS FURTHER ORDERED** that pursuant to Section 73-25-27, a copy of this Order shall be sent by registered mail or personally served upon Donald Vincent Conerly, M.D.

**SO ORDERED**, this the 1st day of February, 2018.

**MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE**

BY: \_\_\_\_\_

  
**CHARLES D. MILES, M.D., PRESIDENT**

**EXECUTIVE SESSION**

DATE: February 1, 2018

AGENDA ITEM: Removal or Restrictions, Keith Simnicht, M.D.

**MOTION:**

The Board will lift the consent order of the monitoring company with the understanding that MSBML investigative personnel may review clinic charts during the probationary period. The remainder of the consent order will remain in place until the 12 month following is completed. At that time, the Board may consider lifting the entire consent order without the appearance of the licensee, provided documentation of course completion has been received.

MADE BY: Dr. Mayo

SECONDED BY: Dr. Crawford

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Charles D. Miles, M.D.	X	_____	_____	_____
Claude D. Brunson, M.D.	X	_____	_____	_____
J. Ann Rea, M.D.	X	_____	_____	_____
C. Ken Lippincott, M.D.	X	_____	_____	_____
William S. Mayo, D.O.	X	_____	_____	_____
W. David McClendon, M.D.	X	_____	_____	_____
Virginia M. Crawford, M.D.	X	_____	_____	_____
Michelle Y. Owens, M.D.	_____	_____	_____	X
S. Randall Easterling, M.D.	X	_____	_____	_____

MOTION TO GO OUT OF EXECUTIVE SESSION: Open Session

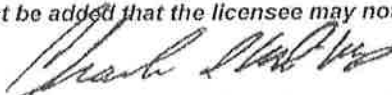
SECONDED BY: Open Session

RECORDED BY: Dr. Rea

Check One (1):

- Public Action
- Disciplinary Action
- License Restriction

*\*If the action is a restriction, language must be added that the licensee may not collaborate or supervise mid-level providers*

  
 \_\_\_\_\_  
 Charles D. Miles, M.D.  
 President

**BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE**  
**IN THE MATTER OF THE PHYSICIAN'S LICENSE**  
**OF**  
**KEITH MILLARD SIMNICHT, M.D.**  
**ORDER REMOVING RESTRICTIONS ON LICENSE**

**THIS MATTER** came on regularly for consideration on February 1, 2018, before the Mississippi State Board of Medical Licensure, in response to the request of Keith Millard Simnicht, M.D. (hereinafter "Licensee"), seeking removal of all restrictions on his license to practice medicine in the State of Mississippi. By virtue of that certain Consent Order entered October 10, 2016, certain restrictions were placed on Licensee's certificate to practice medicine, including successful completion of continuing medical education and mandated independent monitoring of his practice by Affiliated Monitoring for period of five (5) years. Licensee particularly requests relief from the financial burden associated with the five (5) year monitoring program.

The Board heard the testimony from Licensee and finds that he has complied in all respects with the terms and conditions of the Consent Order. The Board also notes that Licensee's practice is subject to periodic surveillance and inspection at any time consistent with the rules and regulations of the Board. It was noted, however, that the aforementioned Consent Order required Licensee to also participate in an optional 12 follow-up CME sessions and evaluation review. During the hearing, Licensee acknowledged that one of the CME courses did provide for an optional 12 sessions CME follow-up.


**IT IS HEREBY ORDERED** that, provided Licensee submits to the Board written documentation of successful completion of all 12 follow-up CME sessions, the aforementioned Consent Order shall be deemed to be rescinded and all restrictions imposed by virtue thereof shall be removed.

**IT IS FURTHER ORDERED** that, assuming Licensee complies with all of the prerequisites of this Order, it will not be necessary that he personally appear at the next regularly scheduled meeting of the Board following submission of the documentation of successful completion of the follow-up CME sessions .

**IT IS FURTHER ORDERED** that pursuant to Section 73-25-27, a copy of this Order shall be sent by registered mail or personally served upon Keith Millard Simnicht, M.D.

**SO ORDERED**, this the 1st day of February, 2018.

**MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE**

BY:   
\_\_\_\_\_  
**CHARLES D. MILES, M.D., PRESIDENT**