

**BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
IN THE MATTER OF THE PHYSICIAN'S LICENSE OF
TRUNG NAM NGUYEN, D.O.**

CONSENT ORDER

WHEREAS, TRUNG NAM NGUYEN, D.O., hereinafter referred to as "Licensee," is the current holder of Mississippi Medical License No. 26072, issued August 3, 2018, and said license number expires on June 30, 2024;

WHEREAS, there is now pending before the Mississippi State Board of Medical Licensure, hereinafter referred to as "Board," certain allegations related to Licensee's practice;

WHEREAS, the Board initiated an investigation into Licensee's practice following Licensee entering into an Agreed Order with the Kentucky Medical Board in March 2023 which resulted in this Consent Order. During the Board's investigation, the Board found that it had grounds to initiate reciprocal action against Licensee based on the Kentucky matter and discovered that, in part, Licensee had also violated the Mississippi Medical Practice Act by, inter alia, failing to perform an in-person evaluation for patients treated via telemedicine for weight loss.

WHEREAS, Licensee acknowledges violating the Mississippi Medical Practice Act and Board regulations by failing to perform the required in-person examinations. Licensee failed to confirm all Mississippi statutory and regulatory requirements for the practice of telemedicine before conducting such practice. Licensee accepts responsibility for violating Mississippi law and regulations;

WHEREAS, the Board's allegations, if established before the Board, constitute violations of the Mississippi Medical Practice Act, specifically, Subsections (8)(d), (9), and (13) of 73-25-29, and § 73-25-83 (a) of Miss. Code Ann. (1972), as amended, for which the Board may revoke the medical license of Licensee, suspend it for a time deemed proper by the Board, or take any other action as the Board may deem proper under the circumstances;

WHEREAS, it is the desire of Licensee to avoid an evidentiary hearing before the Board and, in lieu thereof, has agreed to enter into this Consent Order, thereby admitting the facts and allegations set forth herein, subject to the terms, conditions, and restrictions as specified below.

WHEREAS, the Board acknowledges that Licensee has voluntarily refrained from prescribing, administering, or dispensing, in any manner, any controlled substance, or any other prescription medication reported to the Mississippi Prescription Monitoring Program, from June 2023 to the effective date of this Consent Order.

NOW, THEREFORE, the Mississippi State Board of Medical Licensure, with consent of Licensee as signified by his joinder herein, does hereby implement a one-year suspension of Mississippi Medical License No. 26072, immediately stayed, and a restriction on Licensee's Mississippi practice of medicine, subject to the following terms and conditions:

1. Licensee's Mississippi Medical License, No. 26072, is hereby suspended for one year, from July 1, 2023 through June 30, 2024. In light of Licensee's voluntary abstention from practice since June 2023, the one-year

suspension is IMMEDIATELY STAYED. 2. Upon the effective date of this Consent Order, Licensee is hereby prohibited from practicing telemedicine in Mississippi for six (6) months. Upon the expiration of the six (6) month term, the practice prohibition will terminate automatically.

3. Licensee shall attend and successfully complete Continuing Medical Education (CME) courses in the areas of Ethics and Prescribing. The CME courses required herein shall be obtained by attending courses in the subject noted above as provided by a Board-approved provider. Licensee shall be required to participate in the optional twelve-month follow-up and evaluation review, if offered, for any courses specified herein. Licensee will be required to be physically present at the CME provider's designated facility while taking the CME course(s) unless the course(s) should be taken on-line, or by equivalent means. Licensee shall submit proof of his successful completion to the Board, to include any twelve-month follow-up documentation required herein, on a timely basis. Licensee shall register for, and attend, said course within the next six (6) months. If additional time is needed for attendance, Licensee shall submit a written request for an extension, to be approved in advance by the Executive Director of the Board. All costs relating to CME requirements of this paragraph are borne by Licensee. This is in addition to the forty (40) hours of CME requirements as cited in Title 30, Part 2610, Chapter 2 of the Board's Rules and Regulations.

4. Licensee shall obey all federal, state, and local laws, and all rules and regulations governing the practice of medicine.

5. Licensee shall reimburse the Board for all costs incurred in relation to the pending matter pursuant to Miss. Code Ann. § 73-25-30, said amount not to exceed \$10,000. 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.

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.

Licensee further acknowledges that he is required to personally appear before the Board on the scheduled hearing date to answer any questions which the Board may have. Should this Consent Order not be accepted by the Board, it is agreed that presentation to, and consideration by the Board of this Consent Order and other documents and matters pertaining thereto, including Licensee's answers to questions, 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, should Licensee challenge or dispute any provision or statement in this agreement during the

Board approval process, or if the Board does not accept the terms as set forth herein, this Consent Order will automatically be rendered null and void, and this matter shall be set for a full evidentiary hearing at the next regularly scheduled meeting of the Board.

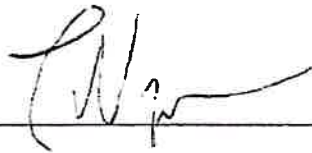
Should the Board hereafter receive documented evidence of Licensee's violating' any of the terms and conditions of this Consent Order, the Board shall have the right, pursuant to a full evidentiary hearing, to revoke the medical license of Licensee, suspend it for a time deemed proper by the Board, or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

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 Practitioners Data Bank (NPDB), the Federation of State Medical Boards (FSMB), the Office of the Inspector General, United States Department of Health and Human Services (OIG HHS), the U.S. Drug Enforcement Administration, the Mississippi Division of Medicaid, the Mississippi Board of Pharmacy, and the Mississippi State Medical Association (MSMA). The Board makes no representation as to what action, if any, which any other agency or jurisdiction may take in response to this Consent Order.

Recognizing his right to notice of charges specified against him, to have such charges adjudicated pursuant to MISS. CODE ANN. § 73-25-27, 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, TRUNG NAM NGUYEN, D.O., nevertheless, hereby waives his right to notice and a formal adjudication of charges and authorizes the Board to enter an order accepting this Consent Order, restricting his medical license, subject to those terms and conditions listed above.

Executed, this 10th day of May 2024.



TRUNG NAM NGUYEN, D.O.

ACCEPTED AND APPROVED, this 8th day of May 2024, by the
Mississippi State Board of Medical Licensure.

Handwritten signature of Michelle Y. Owens, M.D. in cursive script, written over a horizontal line.

Michelle Y. Owens, M.D.
Board President