BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF:

CLIFTON WAYNE STORY, M.D.

LICENSE NO. 15085

DETERMINATION AND ORDER

The above titled matter came before the Mississippi State Board of Medical Licensure ("Board") in Jackson, Hinds County Mississippi, on November 20, 2024. On or about March 9, 2024, the Board received a Victim's¹ complaint, alleging professional misconduct by Licensee.

Board members present for the November 20, 2024, proceedings were Michelle Y. Owens, M.D., President; Ken Lippincott, M.D.; Kirk Kinard, D.O.; Allen Gersh, M.D.; William Eugene Loper, M.D.; Renia R. Dotson, M.D.; and Randy Roth, M.D. Board members Thomas Joiner, M.D. and Rodrick Givens, M.D. appeared and participated in the proceedings via Zoom. Consumer member Koomarie "Shoba" Gaymes was also present. Accordingly, a quorum of Board members was present throughout the hearing and deliberation.

Board Counsel Paul Barnes, Esq., presented the charges as set forth in the Affidavit as filed herein. Also present was Complaint Co-Counsel Honorable Stan T. Ingram. Licensee, having been served with the Summons and Affidavit and being fully informed of his rights to a formal hearing before the Board, was represented by Matthew Thompson, Esq.

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

¹The Board documents refer to Victim as Victim 1.

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

FINDINGS OF FACT AND CONCLUSIONS OF LAW

- 1. The Board is established pursuant to the Mississippi State Board of Medical Licensure Act, Title 73, Chapter 43 of the Mississippi Code of 1972 as amended, and is charged with the duty of licensing and regulating the practice of medicine in the State of Mississippi under title 73, Chapter 25 of the Mississippi Code of 1972 as amended.
- 2. Sections 73-25-29, 73-25-83 and 73-25-87 of the Mississippi Code Ann. (1972) as amended provide that the Board may revoke or suspend a license or take any other actions as deemed necessary if a licensee has violated any provisions therein.
- 3. All parties were properly noticed for the matter now pending before the Board.
- 4. Licensee is a physician licensed to practice medicine in the state of Mississippi, currently holding Mississippi Medical License Number 15085. Said license is valid until June 30, 2024.
- 5. An affidavit was issued on or about on or about August 6, 2024, to Licensee.
- 6. When the affidavit was issued, Licensee's listed primary medical practice was the Starkville Medical Clinic at 100 Wilburn Way, Suite B, Starkville, MS.
- 7. On or about March 9, 2024, the Board received a complaint from Victim. The complaint alleged professional sexual misconduct by Licensee.
- 8. On or about April 11, 2024, Board investigator, Christa Garnett, interviewed Victim.
- 9. Victim alleged that she met Licensee in 2013, while she was attending Mississippi State University ("MSU"). Victim informed Investigator Garnett that Licensee became her overseeing physician in 2015.
- 10. Victim told investigator Garnett that she and Licensee began having a sexual relationship in 2020. According to testimony at the hearing and the affidavit, Victim and Licensee engaged in sexual intercourse in various locations—including Licensee's office and home.

11. Licensee attended the Acumen institute for an evaluation at the insistence of the Executive Director.

TESTIMONY OF LICENSEE

- 12. Licensee stated that he served as the Family/Staff Physician for Mississippi State University in 2013—where he first encountered Victim and performed her sports physical.
- 13. Licensee began treating Victim on a consistent basis in 2015. Licensee also testified that he treated the Victim for some of her mental and emotional conditions—including anxiety, stress, and Attention-deficit/hyperactivity disorder (hereinafter "ADHD").
- 14. Licensee also testified that other physicians were also treating Victim for her mental and emotional conditions. However, Licensee admitted that patient trusted him, confided in him, and discussed intimate details of her medical history with him.
- 15. Licensee admitted that he and Victim had a sexual relationship, beginning in late summer or early fall 2020 and ended in sometime in 2023. However, he acknowledged that he and Victim began an intimate relationship and connection before the sexual relationship began.
- 16. Victim was 26 or 27 years old at the time the sexual relationship began.
- 17. Licensee testified that 2020 was a difficult year for him due to COVID-19 and a chaotic home life. Licensee also stated that his mother passed away unexpectedly in 2020.
- 18. Licensee testified that he prescribed medication to Victim—the last prescription being in June or July 2020.
- 19. Licensee maintained that his sexual relationship with Victim began after he stopped treating Victim. Licensee stated that he ended the doctor/patient relationship by not prescribing Victim medication and finding other doctors to treat Victim. However, Licensee did not take any additional and overt steps to sever the doctor/patient relationship.
- 20. Licensee stated that he did not intentionally groom Victim for the purpose of an inappropriate sexual relationship. However, looking back on the relationship, it appears grooming occurred.
- 21. Licensee testified that he did not believe that his care of Victim deviated from the standard of care.

- 22. Licensee maintained that he did not intentionally use Victim's unique [psychiatric] issues to take advantage of Victim.
- 23. Licensee testified that the relationship with Victim ended primarily because of the age gap and the difference in life stages.
- 24. Licensee received the initial investigation report from the Board in June 2023.
- 25. Licensee testified that he was contacted by the Board in August 2023. He met with the Board for a regulatory compliance meeting, after learning of its investigation.
- 26. Following the regulatory compliance meeting, Licensee voluntarily submitted to an Acumen assessment. Licensee also took a PBI course on Boundaries.
- 27. The Board found that the sexual relationship was concurrent with the doctor/patient relationship.
- 28. Licensee admitted that there was an ethical violation, and that the sexual relationship was inappropriate.

DETERMINATIONS

29. Based on the clear and convincing evidence and testimony presented, Licensee is found guilty of Count I of the Affidavit, i.e., guilty of unprofessional misconduct, which includes, but is not limited to, being guilty of any dishonorable or unethical conduct likely to deceive, defraud, or harm the public, specifically professional sexual misconduct, by virtue of Licensee having sex with a patient at a time when there was either a concurrent patient/physician relationship, or by exploiting trust, knowledge, emotions, or influence derived from a previous relationship (patient/physician), in violation of Miss. Code Ann., Sections 73-25-29(8)(d) and 73-25-83(a).

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

ORDER

IT IS THEREFORE ORDERED that Licensee is suspended from the practice of medicine in the state of Mississippi for one (1) year from the date of this Order.

IT IS THEREFORE ORDERED that:

- 1. Licensee shall proceed with active participation in a formal process of rehabilitative treatment focused on medical ethics and professionalism, professional boundary training, and psychotherapy of the personality traits that left him vulnerable to professional sexual misconduct with a patient. This treatment shall be undertaken in a program that is approved by the Board and designed specifically for safety-sensitive healthcare professionals who have engaged in professional sexual misconduct. Treatment shall include training and reorientation in professional ethics, professional boundary training, professional role definition, emotional self-regulation, and identification of and risk management around the personality traits that contributed to his decision to engage in unprofessional conduct. The treatment program shall be undertaken in an intensive program that combines immersion in group treatment (with other safety-sensitive healthcare professional patients) with individual psychotherapy around the intensive personality-based vulnerabilities that contributed to his poor judgment and eventual misconduct.
- 2. The treatment program shall result in a formal □Professional Boundary and Ethical Conduct and Return to Work Plan.□ In the development of this plan, Licensee and his treatment team shall work with the Board to identify a structure for professional accountability in the workplace in order to ensure that Licensee continues to maintain appropriate boundaries and ethical conduct in all his doctor-patient and doctor-coworker interactions. Licensee shall then engage in ongoing follow up for a period of at least one year to ensure the full and successful implementation of the above-mentioned Plan.
- 3. Specific accountability monitoring plans may be made with the Board during Licensee's participation in the treatment program to ensure that once he returns from his initial intensive treatment phase, he will immediately implement that risk management plan.

IT IS THEREFORE ORDERED Licensee may petition the Board for reinstatement of his license to practice medicine in the state of Mississippi following no earlier than one (1) year from the date of this order, completion of the rehabilitation program, and the Board's receipt of the Return-to-Work Plan. After reinstatement, Licensee shall provide ongoing follow-up for at least one (1) year.

IT IS FURTHER ORDERED that Licensee shall reimburse the Board for all costs incurred in relation to the pending matter pursuant to Miss. Code Ann., Section 73-25-30, as amended. Licensee shall be advised of the total assessment, not to exceed \$10,000 by written notification, and shall tender to the Board a certified check or money order within forty (40) days after the date the assessment is mailed to Licensee's current mailing address.

IT IS FURTHER ORDERED that this decision and opinion is a final order of the Board and is conclusive evidence of the matters described herein.

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

SO ORDERED this the 20th day of November 2024.

MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

BY: <u>Michelle Y. Owens</u>, M.D.,

PRESIDENT