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

IN THE MATTER OF THE LICENSE OF:

NATHANIEL BROWN, M.D.

LICENSE No.: 10093

DETERMINATION AND ORDER

The above titled matter came before the Mississippi State Board of Medical Licensure ("Board") in Jackson, Hinds County, Mississippi, on January 16, 2025, pursuant to a denial of an application for reinstatement of the medical license of Nathaniel Brown, M.D. ("Licensee").

Complaint counsel for the Board was Honorable Paul Barnes, Esq., who presented the charges as set forth in the Affidavit as filed herein. Licensee having been served with the Summons and being fully informed of his rights to a formal hearing before the Board, was present and expressed that he was aware he could have had an attorney but chose to represent himself. Honorable Alexis E. Morris, Special Assistant Attorney General, served as the Administrative Hearing Officer, presided at the hearing and was directed to prepare the Board's written decision in accordance with their deliberations. This matter was called to hearing without objection by either party.

A quorum was present throughout the hearing and deliberation in the matter. Board members present for the proceedings were: Michelle Y. Owens, M.D., President; Kenneth C. Lippincott, M.D.; Thomas E. Joiner, M.D., via zoom; Kirk L. Kinard, M.D.; H. Allen Gersh, M.D.; Rodrick Givens, M.D.; William E. Loper, III, M.D.; and Randy Roth, M.D.

And now, upon consideration of all the material 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

1. The Board is established pursuant to the Mississippi State Board of Medical Licensure Act, Title 73, Chapter 43 of the 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 pursuant to title 73, Chapter 25 of the Mississippi Code of 1972 as amended.

2. Sections 73-25-29, 73-25-83, and 73-25-87 as amended provides that the Board may revoke or suspend a license or take any other action as deemed necessary if a licensee has violated any provisions therein.
3. All parties were properly noticed of the matter now pending before the Board.
4. Licensee held Mississippi Medical License Number 10093, and said number was valid until February 1, 2018.
5. 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).
6. 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 . . .”
7. On or about August 10, 2017, 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. Upon his release from prison, Licensee was on supervised release for a term of three (3) years. Licensee was also ordered to pay fines and restitution.
8. On or about February 1, 2018, the Board revoked Licensee’s certificate to practice medicine in Mississippi following a hearing.
9. On or about March 14, 2023, Licensee submitted a reinstatement application for a license to practice medicine in the State of Mississippi. The reinstatement application was denied, and Licensee requested a hearing before the Full Board.

10. At the January 2025 hearing, the Board reviewed evidence that the United States Health and Human Services' Office of Inspector General excluded Licensee from Federally funded health care programs for a period of no less than twenty (20) years as a result of Licensee' conviction.
11. Licensee testified that he worked as one of the Medical Directors for hospice. He stated that he was naïve and did not know that the other directors were committing healthcare fraud. However, Licensee testified that he had made a series of mistakes in the past while working at hospice and ultimately pleaded guilty.
12. Licensee testified that he attended a Clinical Skills Assessment and Reentry to Practice Program at the Center for Personalized Education for Professions (CPEP), because it was required with his application for reinstatement of his medical license. The CPEP personnel documented that Licensee was late for several interviews during his evaluations. Licensee attributed his tardiness to technical issues within the Mississippi Delta.
13. The CPEP evaluation evinced certain educational needs and deficiencies in Licensee's clinical judgment and reasoning, patient care, documentation, and practice-based learning.
14. Licensee stated that his license should be reinstated because he was an excellent doctor and maintained very good patient care.

Conclusions of Law

1. The Board has jurisdiction in this matter pursuant to Sections 73-25-29, and 73-25-83 (a) Mississippi Code of 1972, as amended. Venue is likewise properly placed before the board to hear this matter in Hinds County, Mississippi.
2. The proceedings were duly and properly convened, and all substantive and procedural requirements under law have been satisfied. This matter is, therefore, properly before the Board.
3. The Board is authorized to license and regulate persons who apply for or hold a medical license and prescribe conditions under which persons may practice in order to protect the public health, safety and welfare.

Based upon the above Findings of Fact and Conclusions of Law, the Board finds the following order, restrictions, and conditions to be appropriate under the circumstances:

ORDER

IT IS THEREFORE ORDERED that Licensee's request for reinstatement is **GRANTED IN PART**. Licensee is awarded a Conditional Restricted License, subject to the following terms and conditions:

1. Licensee SHALL complete an updated CPEP evaluation.
2. Licensee is RESTRICTED from working in Home Health and/or Hospice care.
3. Licensee SHALL NOT collaborate with any mid-level providers, including Advanced Practice Registered Nurses ("APRNs").
4. Licensee SHALL complete a Board-approved Ethics Course.
5. Licensee SHALL complete a Board-approved reentry program.

IT IS FURTHER ORDERED that upon successful completion the aforementioned requirements, Licensee may re-petition the Board for removal of the restrictions after not less than one (1) year from the date of this Order.

IT IS FURTHER ORDERED that if Licensee violates the terms of this Determination and Order or further violates the laws, rules and regulations governing the practice of medicine, the MSBML may take further disciplinary action against Licensee, up to and including revocation of his license.

IT IS FURTHER ORDERED that this Determination and Order shall be public record. It may be shared with other licensing boards (in and out of state), 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 15th day of January 2025.

MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

BY:



Michelle Y. Owens, M.D.
President