

October 19, 2016

As the first three months have drawn to a close I can now reflect on some experiences as your new Executive Director. Dr. Craig left big shoes to fill and a long shadow in which to stand. But I've accepted the challenge and plan to build on his legacy.

The world of medicine continues to change at an increasing pace. But new approaches at the MSBML will help balance "The Board's primary objective [of ensuring] the protection of the health, safety and welfare of Mississippians" with an ongoing need to augment Mississippi's healthcare workforce.

The Board has already instituted new policies. In the past new applicants with errors in the on-line application needed to complete a printed application and essentially "start over" in the application process. Now identified errors are reported back to applicant and clarifying documentation is submitted, usually electronically, to augment to application. The most common problem, and the single most common cause of licensure delays, remains inaccurate answers to application questions.

The single most common error remains the question, "Have you ever been arrested?" Most applicants answer "no." In the majority of cases the negative answer is, in fact, correct. However, in a small number of cases the applicant has been arrested.

Let's look at some reasons for the discrepancy:

- 1) The applicant believes, erroneously, that the arrest record has been "expunged" or "sealed." Sometimes the record has been expunged or sealed and it won't be revealed on a background check. Most of the time the arrest is detected leaving the applicant to explain. This slows down the application. Perhaps more important it slows processing for *all other applicants*.
- 2) In some cases, a well-meaning attorney has advised an applicant to answer no. Clearly such advice does not serve an applicant well. While the arrest may have no legal standing it *is still an arrest*. It must be disclosed unless an applicant wishes to have the license delayed.
- 3) Occasionally an applicant does not realize he/she has been arrested. Recently an applicant was found to have been arrested but turned away by Customs and Border Protection. Initially the applicant explained that he did not realize that he'd been formally arrested. Not surprising since he was immediately deported. However, the applicant later noted "I guess I should have known this would be a problem since it came up on my North Carolina application."

The bottom line is, if you've been arrested disclose and explain. If the Board discovers an arrest, or any other undisclosed adverse information, independently then applicants will be required to provide a written explanation. This will entail an obligate delay in issuing a license.

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Executive Director