

BOARD MINUTES
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
June 3 and 4, 2020

The regularly scheduled meeting of the Mississippi State Board of Medical Licensure was held on Wednesday, June 3, and Thursday, June 4, 2020, in the Board Room of the Office of the Board located at 1867 Crane Ridge Drive, Jackson, Mississippi.

THE FOLLOWING MEMBERS WERE PRESENT:

J. Ann Rea, M.D., Columbus, President
David W. McClendon, Jr., M.D., Ocean Springs, Vice President
Michelle Y. Owens, M.D., Jackson, Secretary
Charles D. Miles, M.D., West Point
C. Kenneth Lippincott, M.D., Tupelo
Kirk L. Kinard, D.O., Oxford
H. Allen Gersh, M.D., Hattiesburg
Daniel Edney, M.D., Vicksburg
Thomas Joiner, M.D., Jackson

ALSO PRESENT:

Stan T. Ingram, Complaint Counsel for the Board
Ken Walley, Special Assistant Attorney General
Kenneth Cleveland, Executive Director
Mike Lucius, Deputy Director
Anna Boone, Director of Licensure Division
Leslie Ross, Director of Investigations
Kristin Wallace, Clinical Director of Physician Compliance
Jonathan Dalton, Investigations Supervisor
Frances Carrillo, Staff Officer
Arlene Davis, IT Director
Major General (Ret.) Erik Hearon, Consumer Health Committee
Wesley Breland, Hattiesburg, Consumer Health Committee
Shoba Gaymes, Jackson, Consumer Health Committee

The meeting was called to order at 9:12 a.m., by Dr. Rea, President. The invocation was given by Mr. Edney and the pledge was led by Dr. Lippincott.

Dr. Rea introduced Ken Walley, Special Assistant Attorney General and Tammi Fulghum, Court Reporter with Brown Court Reporting.

EXECUTIVE DIRECTOR REPORT

Dr. Cleveland provided an updated summary of the operations regarding Licensure and Investigative Division operations for the months of January through May 2020.

Dr. Cleveland provided a summary of the number of emergency license issued since the issuance of the Covid-19 Proclamation in March.

Dr. Cleveland provided a brief update and progress of the Board's Licensure system.

Review and Approval of Minutes of the Board Meeting dated January 16, 2020

Upon review of the minutes of the Executive Committee dated January 16, 2020, Dr. Owens moved for approval of the minutes as submitted. Dr. Miles seconded the motion and it carried unanimously.

Review and Approval of Minutes of the Board Meeting dated January 21, 2020

Upon review of the minutes of the Executive Committee dated January 21, 2020, Dr. McClendon moved for approval of the minutes as submitted. Dr. Miles seconded the motion and it carried unanimously.

Review and Approval of Minutes of the Board Meeting dated March 15, 2020

Upon review of the minutes of the Board meeting dated March 15, 2020, Dr. Miles moved for approval of the minutes as submitted. Dr. Owens seconded the motion and it carried unanimously.

Review and Approval of Minutes of the Board Meeting dated March 24, 2020

Upon review of the minutes of the Executive Committee dated March 24, 2020, Dr. Lippincott moved for approval of the minutes as amended. Dr. Edney seconded the motion and it carried unanimously.

Review and Approval of Minutes of the Board Meeting dated April 5, 2020

Upon review of the minutes of the Executive Committee dated April 5, 2020, Dr. Miles moved for approval of the minutes as amended. Dr. Joiner seconded the motion and it carried unanimously.

REPORTS FROM COMMITTEES

Scope of Practice - Dr. Owens (Chair), Dr. Miles, Dr. Kinard, Dr. Gersh, Dr. McClendon, Mr. Breland, Ms. Gaymes, Dr. Edney

Dr. Owens advised the Scope of Practice had a Committee meeting on this date regarding the implementation of the Federal government's VHA Directive 1350, Department of Veterans Affairs Veterans Health Administration, Advanced Practice Registered Nurse Full Practice Authority.

At the conclusion of this discussion by the Committee it was determined that no action will occur on this matter.

Professionals Health Program - Dr. Lippincott (Chair), Dr. Gersh, Dr. Edney, Maj Gen Hearon, Ms. Gaymes, Dr. Joiner

Dr. Lippincott reported a Board of Directors meeting of the Mississippi Physician Health Program (MPHP) in May. Dr. Lippincott advised that it was reported by Dr. Hambleton, Medical Director for MPHP that the recovery rate for MPHP participants is 90.5% compared to 78 – 80% nationally. Dr. Hambleton was recognized for this report.

Telemedicine I Interstate Licensure Compact - Dr. McClendon (Chair), Dr. Miles, Dr. Kinard, Dr. Lippincott, Maj Gen Hearon, Mr. Lucius

Dr. McClendon briefly reported on the progress of the Interstate Compact agency in establishing personnel and participating states.

Licensees Education and Communication - Dr. Owens (Chair), Dr. McClendon, Dr. Gersh, Dr. Kinard, Dr. Joiner, Dr. Lippincott, Mr. Breland, Ms. Gaymes, Mr. Lucius

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

Physician Assistant Advisory Task Force - Dr. McClendon (Chair), Dr. Kinard, Robert Philpot, Jr., PhD, PA-C, Joanna Mason, PA-C, Ms. Lauren English, Phyllis Johnson, Board of Nursing, Tristen Harris, PA-C, Leah Calder, PA-C, Mr. Gavin Nowell, Mr. Jonathan Dalton, Maj Gen Hearon

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

Rules, Regulation & Legislative - Dr. Miles (Chair), Dr. Gersh, Dr. Joiner, Dr. Owens, Dr. Lippincott, Mr. Breland, Ms. Hope Ladner

Dr. Miles reported possible changes to the Hospice Regulation pending legislation filing.

COVID-19 PROCLAMATIONS ISSUED BY THE BOARD

Dr. Rea asked Dr. Cleveland to briefly summarize the proclamations that the Board has issued in response to the Governor's directives. Dr. Cleveland briefly summarized the proclamation's directives in issuing emergency licenses and relaxing regulations for telehealth for Mississippi physicians to care for patients.

Following discussion it was the consensus of the Board that no action is required on this matter. The Mississippi State Board of Medical Licensure's proclamations will continue until further notice.

REQUEST APPROVAL OF PROPOSED CONSENT ORDER FOR

JENNIFER GRIFFIN, M.D., MEDICAL LICENSE NUMBER 21889

JEAN BARKER, M.D., MEDICAL LICENSE NUMBER 12431

MOHAMMAD K. ANWAR, M.D., MEDICAL LICENSE NUMBER 21477

A motion was made by Dr. Lippincott, seconded by Dr. Owens and carried that the Board enter into executive session. The Board entered into executive session for the purpose of considering petitions which the consideration could lead to an appeal of the Board's decision.

Upon a motion by Dr. McClendon, seconded by Dr. Miles and carried, the Board came out of Executive Session. Dr. Rea asked Dr. Owens to report on its decision. Dr. Owens advised that the Board decision in the matter of Jennifer Griffin, license No. 21889, to approve the consent order; for Jean Barker, license No. 12431, the Board denied approval of the consent order; and in the case of Dr. Mohammad Anwar, license No. 21477, the Board voted to accept the consent order.

A copy of the Orders based on this decision is attached hereto and incorporated by reference.

The official account of this proceeding was recorded by Tamara Fulgham, Court Reporter, Brown Court Reporting.

**REQUEST TO LIFT CONSENT ORDER OF GEORGE E. GILLESPIE III, D.O.,
MEDICAL LICENSE NUMBER 19284**

Mr. Ingram introduced Dr. Gillespie and his attorney Mr. Rick Burson.

Mr. Burson addressed the Board and briefly summarized Dr. Gillespie's compliance and practice since execution of the Consent Order. Mr. Burson advised that Dr. Gillespie is petitioning the Board to lift the Consent Order

Mr. Ingram briefly summarized the Consent Order dated March 16, 2017, executed by Dr. Gillespie, and introduced documents into the record.

Upon a motion by Dr. McClendon seconded by Dr. Kinard and carried unanimously to approve the Consent Order.

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

The official account of this proceeding was recorded by Tamara Fulgham, Court Reporter, Brown Court Reporting.

**REQUEST TO LIFT CONSENT ORDER OF MOHAMMAD HAZEM I AHMAD-SABRY,
M.D., MEDICAL LICENSE NUMBER 19115**

Mr. Ingram introduced Dr. Ahmad-Sabry and his attorney Mr. John Banahan.

Mr. Banahan addressed the Board and briefly summarized Dr. Ahmad-Sabry's compliance and practice since execution of the Consent Order. Mr. Banahan advised that Dr. Ahmad-Sabry is petitioning the Board to lift a Consent Order.

Mr. Ingram briefly summarized the Consent Order dated May 18, 2017, executed by Dr. Ahmad-Sabry's and introduced documents into the record.

Following discussion and questions by the Board, Mr. Banahan requested to withdraw Dr. Ahmad-Sabry's petition to lift the Consent Order and to refile for the next available board meeting.

Upon a motion by Dr. Miles seconded by Dr. Edney and carried unanimously to accept the withdrawal of Dr. Ahmad-Sabry's petition to lift the Consent Order.

The official account of this proceeding was recorded by Tamara Fulgham, Court Reporter, Brown Court Reporting.

HEARING IN THE CASE OF KANG LU, M.D., MEDICAL LICENSE NUMBER 22250

Mr. Ingram introduced Dr. Lu who was present without legal counsel.

Mr. Walley asked Dr. Lu if he had been advised to his right to counsel and Dr. Lu answered in the affirmative and advised he was representing himself.

Mr. Ingram briefly summarized the case and introduced documents into the record.

Dr. Lu was sworn in by the court reporter. Dr. Lu addressed the Board.

Following questions from Board members, a motion was made by Dr. Miles, seconded by Dr. Owens and carried that the Board meeting be closed to discuss whether to enter into executive session on this matter.

A motion was made by Dr. Miles, seconded by Dr. Edney and carried that the Board enter into executive session for the purpose of considering adverse actions on Dr. Lu's medical license which could lead to entry of an appealable order.

Upon a motion by Dr. Miles, seconded by Dr. Gersh and carried, the Board came out of Executive Session at which time Dr. Rea asked Mr. Walley to report on its decision. Mr. Walley advised that Lu was found guilty of Count I and II and the Board revokes his Mississippi medical license.

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

The official account of this proceeding was recorded by Tamara Fulgham, Court Reporter, Brown Court Reporting.

HEARING IN THE CASE OF WALID M. RAHHAL, M.D., MEDICAL LICENSE NUMBER 14123

Mr. Ingram advised that Dr. Rahhal was not present today and that he had been summoned to appear before the Board on this date. Mr. Ingram briefly summarized the case. Mr. Ingram reported that Dr. Rahhal's attorney, Mr. Rufus Aldridge had contacted and reported to the Board of Licensee's agreement to surrender his medical license and executed that agreement on May 12, 2020.

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

APPROVAL OF EXAMINING COMMITTEE FINAL REPORT PURSUANT TO MS CODE §73-25-61

A motion was made by Dr. Miles, seconded by Dr. Owens and carried to close the meeting to consider whether to enter into executive session on this matter.

A motion was made by Dr. Owens, seconded by Dr. McClendon and carried that the Board enter into executive session for the purpose of considering confidential information pursuant to the Disabled Physician Law.

Upon a motion by Dr. Miles, seconded by Dr. Owen and carried, the Board came out of executive session and it was the Board's decision to place this matter in Abeyance.

REQUEST TO LIFT CONSENT ORDER OF TIMOTHY SUMMERS, M.D., MEDICAL LICENSE NUMBER 07197

Mr. Ingram introduced Dr. Summers and his attorney Mr. Ed Blackmon.

Mr. Ingram briefly summarized the Consent Order dated September 20 2018, executed by Dr. Summers. Dr. Summers was indefinitely restricted from prescribing controlled substances in Schedule II through Schedule III. Licensee is requesting for this restriction to be lifted.

Mr. Blackmon addressed the Board and briefly summarized Dr. Summers plan to return to the practice of psychiatry.

Upon a motion by Dr. Miles seconded by Dr. Owens and carried unanimously to reinstate his license fully.

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

The official account of this proceeding was recorded by Tamara Fulgham, Court Reporter, Brown Court Reporting.

HEARING IN THE CASE OF RAJESH SUBRAMANYA, M.D., MEDICAL LICENSE NUMBER 11746

Mr. Ingram introduced Mr. Doug Mercier, legal counsel for Dr. Subramanya, who was not present.

Mr. Ingram briefly summarized the facts of the case and introduced documents into the record.

Mr. Mercier addressed the Board regarding the charges stipulated in the Affidavit.

A motion was made by Dr. Owens, seconded by Dr. Miles and carried that the Board enter into executive session for the purpose of considering adverse actions on Dr. Subramanya's medical license which could lead to entry of an appealable order.

Upon a motion by Dr. McClendon, seconded by Dr. Joiner and carried, the Board came out of Executive Session at which time Dr. Rea asked Mr. Walley to report on its decision. Mr. Walley advised it is the Board's decision to suspend Dr. Subramanya's medical license for no less than one year. Licensee is to obtain continuing medical education in boundaries and ethics. He must submit to a comprehensive psychosexual evaluation and obtain a determination of fitness for duty, and he must appear before this Board at a regular meeting to demonstrate compliance with the terms of this order.

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

The official account of this proceeding was recorded by Tamara Fulgham, Court Reporter, Brown Court Reporting.

**HEARING IN THE CASE OF TIMOTHY WHITTLE, M.D., MEDICAL LICENSE
NUMBER 11439**

DR LIPPINCOTT AND DR. MILES ARE RECUSED

Mr. Ingram introduced Dr. Whittle and his attorney Mr. Rod Ray.

Mr. Ingram briefly summarized the facts of the case and introduced documents into the record.

Mr. Rod Ray addressed the Board regarding the charges and that Licensee is willing to stipulate that he is guilty of Counts I, II, and III.

Dr. Whittle was sworn in. Licensee briefly summarized the case and answered questions from Mr. Ingram and the Board.

A motion was made by Dr. McClendon, seconded by Dr. Owens and carried that the Board enter into executive session for the purpose of considering adverse actions on Dr. Whittle's medical license which could lead to entry of an appealable order.

Upon a motion by Dr. Gersh, seconded by Dr. Edney and carried, the Board came out of Executive Session at which time Dr. Rea asked Mr. Walley to report on its decision. Mr. Walley advised it is the Board's decision for Licensee to receive one year suspension from the practice of medicine, however, the second six months of the suspension will be stayed if certain conditions have been met. Licensee is to appear before the Board to

BOARD MINUTES
JUNE 3 and 4, 2020
Page 9

demonstrate compliance of his order, to obtain a stay of the second six months of this suspension.

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

The official account of this proceeding was recorded by Tamara Fulgham, Court Reporter, Brown Court Reporting.

**APPROVAL OF INVESTIGATIVE SUBPOENAS 2020-0603-1 AND 2020-0603-2
PURSUANT TO MCA SECTION §73-25-27**

After discussion, a motion was made by Dr. McClendon, seconded by Dr. Owens and carried to close the meeting to consider whether to enter into executive session on this matter.

A motion was made by Dr. Edney, seconded by Dr. Miles and carried that the Executive Committee enter into executive session for the purpose of discussing whether to issue subpoenas regarding investigations of alleged misconduct and violations of the statutes and regulations governing the practice of medicine in case numbers 2020-0603-1 and 2020-0603-2.

Upon a motion by Dr. Miles seconded by Dr. Owen and carried unanimously, the Executive Committee came out of executive session. It was reported that the Executive Committee unanimously authorized the issuance of investigative subpoenas in case numbers 2020-0603-1 and 2020-0603-2. Pursuant Miss. Code Ann. §73-25-27, the Executive Director of the Board is hereby authorized to issue the aforementioned investigative subpoenas and this authorization shall be deemed an order entered on the minutes of the Board.

**HEARING IN THE CASE OF OTIS ANDERSON, III, M.D., MEDICAL LICENSE
NUMBER 21754**

Dr. Rea advised that Mr. Walley to conduct this hearing. Mr. Walley recognized Dr. Anderson and his legal counsel, Mr. DeCarlo Hood. Mr. Walley called for the hearing to proceed.

Mr. DeCarlo addressed the Board and requested of the Board if there were any conditions the Board would be agreeable to in lieu of a hearing on this matter.

Dr. Rea advised that the request will be considered after reviewing the facts of the case and Dr. Anderson's compliance with the Board. Mr. Ingram briefly summarized the case and introduced documents into the record.

BOARD MINUTES
JUNE 3 and 4, 2020
Page 10

After discussion and questions by the Board, a motion was made by Dr. Joiner, seconded by Dr. McClendon, and carried that the Board enter into executive session to consider the terms and conditions of a Consent Order as requested by Licensee and his Counsel.

Upon a motion by Dr. Lippincott, seconded by Dr. McClendon and carried, the Board came out of Executive Session at which time Mr. Walley reported on the Board's decision. Mr. Walley advised it is the Board's decision that Dr. Anderson execute a Consent Order whereby his medical license be suspended for one year, subject to certain terms and conditions, including but not limited to completion of a competency examination at CPEP within that year and shall appear before the Board for his medical license to be reinstated. At that time Licensee and his Attorney agreed to the proposed Agreed Order.

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


The official account of this proceeding was recorded by Tamara Fulgham, Court Reporter, Brown Court Reporting.

JULY BOARD MEETING DATE

The next Board meeting is scheduled for Wednesday, July 29 and Thursday, July 30, 2020.

ADJOURNMENT

There being no further business, the meeting adjourned Thursday, June 4 at 11:03 am.


Jeanne Ann Rea, M.D.
President

Minutes taken and transcribed
By Frances Carrillo
Staff Officer
June 4, 2020

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE

OF

JENNIFER GRIFFIN, M.D.

CONSENT ORDER

MSBML
FEB 21 2020

WHEREAS, JENNIFER GRIFFIN, M.D., hereinafter referred to as "Licensee," is the current holder of Mississippi Medical License No. 21889, said license number expires on June 30, 2020;

WHEREAS, the Investigative Staff of the Mississippi State Board of Medical Licensure, hereinafter referred to as the "Board," has conducted an investigation of the Licensee and has in its possession evidence which, if produced during the course of an evidentiary hearing, would substantiate that Licensee has, by her own sworn deposition, admitted to violating provisions of the Board's Administrative Code pertaining to pre-signing prescriptions, which is considered unprofessional conduct;

WHEREAS, the above conduct, if established before the Board, constitutes violations of the Mississippi Medical Practice Act, specifically, Subsections (3), (8)(d) and (13) of §73-25-29 and §73-25-83(a), Miss. Code Ann., 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, Licensee has stated to the Board that, despite now admitting the inappropriateness of pre-signed prescriptions, her intent was to ensure the care of her patient;

WHEREAS, Licensee wishes to avoid a hearing before the Mississippi State

Board of Medical Licensure and, in lieu thereof, has consented to certain conditions on her license to practice medicine in the State of Mississippi;

NOW, THEREFORE, the Mississippi State Board of Medical Licensure, with consent of Licensee as signified by her joinder herein, does hereby **suspend** Licensee's medical license, with said suspension **immediately stayed**, subject to the following probationary terms and conditions, to-wit:

1. Licensee shall, within six (6) months of the date of this Order, successfully complete Board approved Continuing Medical Education (CME) in the areas of (i) Prescribing of Controlled Substances and (ii) Medical Record Keeping, said courses to be selected from the list of Board approved courses attached hereto as Exhibit "A". Licensee shall provide proof of attendance and participation in each aspect of the courses required herein. Any credit received for such CME shall be in addition to the usual forty (40) hours of Category I credits required by Board regulation. Licensee will be required to be on-site while taking the CME course(s), as the course(s) cannot be taken on-line or by other means. Licensee shall submit proof of successful completion to the Board.
2. Licensee will obey all Federal, State and local laws, and all rules, regulations, and ethics requirements governing his practice of medicine. Any further acts of noncompliance will result in further action by this Board.
3. Licensee shall report in writing to the Board within ten (10) days of any change in her practice location and/or change in employment.
4. Licensee's practice shall be subject to periodic, unannounced surveillance by the Board. The Executive Director, or any member or agent of the Board, shall have

the right at any time to inspect the practice location of Licensee, including, but not limited to any and all medical records, orders for medication, and any other record or document required to be maintained by Board Administrative Code.

5. Licensee agrees that the terms and conditions of this Order are final and will not be reconsidered.

Licensee shall have the right, but not the obligation, to petition the Board for reinstatement of her license to full, unrestricted status after completing all terms and conditions of this Order.

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 at her last known 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. Should this Consent Order not be accepted by the Board, it is agreed that presentation to and consideration of this 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 participation in any further proceedings.

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 U.S. Drug Enforcement Administration, and the Board makes no representation as to action, if any, which the U.S. Drug Enforcement Administration or any other entity may take in response to this Order.

Recognizing her right to notice of charges specified against her, to have such charges adjudicated pursuant to Miss. Code Ann., §73-25-27 (1972), to be represented therein by legal counsel of her choice, and to a final decision rendered upon written findings of fact and conclusions of law, JENNIFER GRIFFIN, M.D., nonetheless, hereby waives her right to notice and a formal adjudication of charges and authorizes the Board to enter an order accepting this Consent Order, thereby placing her medical license on probation, subject to those terms and conditions listed above.

EXECUTED, this the 7th day of February, 2020.


JENNIFER GRIFFIN, M.D.

ACCEPTED AND APPROVED, this the 8th day of ~~February~~ June, 2020, by the Mississippi State Board of Medical Licensure.


JEANNE ANN REA, M.D.
Board President

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE

OF

GEORGE EDWARD GILLESPIE, III., D.O.

ORDER REMOVING ALL RESTRICTIONS

THIS MATTER came on regularly for hearing on June 3, 2020 before the Mississippi State Board of Medical Licensure, in response to the petition of GEORGE EDWARD GILLESPIE, III., D.O. (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 dated March 16, 2017, certain restrictions were imposed on Licensee's certificate to practice medicine in the state of Mississippi. The Board is now in receipt of proof that all requirements, including Continuing Medical Education have been satisfied. Therefore, the Board, after hearing said request, finds the same to be well-taken.

IT IS HEREBY ORDERED, that Licensee's request for removal of all restrictions on his license to practice medicine is hereby granted. Licensee now holds an unrestricted license to practice medicine in the State of Mississippi.

IT IS FURTHER ORDERED, that pursuant to Miss. Code Ann. Section 73-25-27, a copy of this Order shall be sent by registered mail or personally served upon GEORGE EDWARD GILLESPIE, III., D.O.

ORDERED, this the 3rd day of June, 2020.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY: _____


JEANNE ANN REA, M.D., PRESIDENT

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
IN THE MATTER OF THE PHYSICIAN'S LICENSE
OF
KANG LU, M.D.
DETERMINATION AND ORDER

THIS MATTER came on regularly for hearing on June 3, 2020, before the Mississippi State Board of Medical Licensure (hereinafter "Board"), pursuant to Title 73, Chapter 25 of the Mississippi Code of 1972, Annotated. The Board initiated these proceedings on the 4th day of September, 2019 by issuance of a Summons and Affidavit against Kang Lu, M.D., (hereinafter "Licensee"), who holds Mississippi Medical License Number 22250. The Affidavit sets forth two (2) counts of violations of the Mississippi Medical Practice Act, specifically Count I being Miss. Code Ann. Section 73-25-29(9), and Count II, Miss. Code Ann. Sections 73-25-29(8)(d) and 73-25-83(a), all based upon Licensee having his license revoked by the Commonwealth of Massachusetts on March 5, 2020 for, among other grounds, failing to disclose criminal charges on his 2017 and 2018 Massachusetts license renewal.

Licensee personally appeared before the Board and was unrepresented by counsel. Complaint Counsel for the Board was Honorable Stan. T. Ingram. Sitting as legal advisor to the Board was Honorable Ken Walley, Special Assistant Attorney General. Board members present for the proceedings were Jeanne Ann Rea, M.D., President, David W. McClendon, M.D., Michelle Y. Owens, M.D., Charles D. Miles, M.D., Ken Lippincott, M.D., Kirk L. Kinard, D.O., Daniel Edney, M.D., and Thomas Joiner, M.D., H. Allen Gersh, M.D., was present via videoconference. Consumer members present were Wesley Breland, Maj. General (Ret.) Erik Hearon and Koomarie "Shoba" Gaymes.

Having conducted a hearing in this matter, and based upon the exhibits, testimony and the evidence presented, the Board renders the following Findings of Fact, Conclusions of Law, and Order based upon clear and convincing evidence.

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 and 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. 22250. Said license is current until June 30, 2020.
3. That Licensee misrepresented his arrest record on his 2017 and 2018 renewal applications for his license to practice medicine in the Commonwealth of Massachusetts.
4. That on March 5, 2020, Licensee had his Massachusetts medical license revoked for, among other grounds, failing to disclose a number of adverse interactions with police and arrests on his 2017 and 2018 Massachusetts license renewal applications.

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 having his medical license revoked by the Commonwealth of Massachusetts, and, by extension, the actions of Licensee which prompted the revocation of his Massachusetts license

constitute unprofessional conduct as defined in Mississippi statute, all in violation of Miss. Code. Ann., §§ 73-25-29-(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 3rd day of June, 2020.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY: 
JEANNE ANN REA, M.D., PRESIDENT

**BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
IN THE MATTER OF THE PHYSICIAN'S LICENSE
OF
WALID MOHAMED RAHHAL, M.D.**

SURRENDER OF MEDICAL LICENSE

WHEREAS, WALID MOHAMED RAHHAL, M.D., hereinafter referred to as "Licensee," is the current holder of License Number 14123 issued on September 19, 1994, to practice medicine in the State of Mississippi;

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 a full evidentiary hearing, would indicate that Licensee has entered a plea of guilty to a violation of state law regulating the possession, distribution or use of any narcotic drug or any drug considered a controlled substance, forging a prescription; is guilty of unprofessional conduct, which includes practicing medicine under a false or assumed name or impersonating another practitioner, living or dead; and is guilty of any dishonorable or unethical conduct likely to deceive, defraud or harm the public;

WHEREAS, the above conduct constitutes violations of the Mississippi Medical Practice Act, specifically, Subsections (3), (8)(a), (8)(d), and (13) of § 73-25-29 and §73-25-83(a), Miss. Code Ann., 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;

NOW THEREFORE, in order to resolve this matter now pending before the Board, Licensee agrees to voluntarily surrender his medical license (14123) to practice medicine in the State of Mississippi, and understands said Surrender shall be effective immediately upon execution. Licensee understands this is an unconditional surrender, is reportable to the National Practitioner Data Bank and other entities, such as the Federation of State Medical Boards, and is a public record of the State of Mississippi.

Recognizing his right to notice of charges specified against him, to have such charges adjudicated pursuant to Miss. Code Ann., § 73-25-27 (1972), 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, **Walid Mohamed Rahhal, M.D.**, nevertheless, hereby waives his right to notice and a formal adjudication of charges and hereby unconditionally surrenders License No. 14123 to practice medicine in the State of Mississippi.

EXECUTED AND EFFECTIVE, this the th 12 day of May, 2020.

W. Rahhal
Walid Mohamed Rahhal, M.D.

Witness:

[Signature]
Sister: Layla Rahhal-Isabi

ACKNOWLEDGEMENT OF RECEIPT OF SURRENDER, this the 22 day of May, 2020, by the Mississippi State Board of Medical Licensure.

Ken Cleveland
Kenneth E. Cleveland, M.D.
Executive Director
Mississippi State Board of Medical Licensure

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
IN THE MATTER OF THE PHYSICIAN'S LICENSE
OF
RAJESH SUBRAMANYA, M.D.
DETERMINATION AND ORDER

THIS MATTER came on regularly for hearing on June 3, 2020, before the Mississippi State Board of Medical Licensure (hereinafter "Board"), pursuant to Title 73, Chapter 25 of the Mississippi Code of 1972, Annotated. The Board initiated these proceedings on the 27th day of February, 2020 by issuance of a Summons and Affidavit against Rajesh Subramanya, M.D. (hereinafter "Licensee"), setting forth two (2) counts of violations of the Mississippi Medical Practice Act, specifically Count I being Miss. Code Ann. Section 73-25-29(6), and Count II being Miss. Code Ann. Sections 73-25-29(8)(d) and 73-25-83(a), all based upon Licensee pleading guilty to violating 18 U.S.C. §113(a)(5) *Assault within maritime and territorial jurisdiction- Simple Assault*.

Licensee appeared by counsel, Honorable Douglas G. Mercier. Complaint Counsel for the Board was Honorable Stan. T. Ingram. Sitting as legal advisor to the Board was Honorable Ken Walley, Special Assistant Attorney General. Board members present for the proceedings were Jeanne Ann Rea, M.D., President, David W. McClendon, M.D., Michelle Y. Owens, M.D., Charles D. Miles, M.D., Ken Lippincott, M.D., Kirk L. Kinard, D.O., Daniel Edney, M.D., and Thomas Joiner, M.D., H. Allen Gersh, M.D., was present via videoconference. Consumer members present were Wesley Breland, Maj. General (Ret.) Erik Hearon and Koomarie "Shoba" Gaymes.

Having conducted a hearing in this matter, and based upon the exhibits, testimony and the evidence presented, the Board renders the following Findings of Fact, Conclusions of Law, and Order based upon clear and convincing evidence.

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 and 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. 26046. Said license is current until June 30, 2020.
3. That Licensee admitted to FBI agents that on a September 29, 2019 during a flight from New York to Memphis, Licensee groped a female passenger's breast without her consent.
4. That on December 12, 2019, Licensee entered a plea of guilty to 18 U.S.C. §113(a)(5) *Assault within maritime and territorial jurisdiction- Simple Assault*.

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 pleaded guilty to a misdemeanor 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-(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 suspended for a period of not less than one (1) year.

IT IS FURTHER ORDERED that Licensee shall have the right but not the obligation to petition the Board for reinstatement of his medical license after expiration of one (1) year. Prior to any reinstatement consideration by the Board, Licensee shall (1) submit proof of successful completion of Board-approved continuing medical education in the area of professional boundaries; (2) submit proof of successful completion of Board-approved continuing medical education in the area of medical ethics; and (3) undergo a Comprehensive Psychosexual Evaluation and determination of fitness for duty at a facility approved in advance by the Board. Before reinstatement, Licensee must appear before the Board in person to present his petition for reinstatement and demonstrate compliance with the Board's Order. Any consideration of license reinstatement shall be at the complete discretion of the Board.

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 3rd day of June, 2020.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY:



JEANNE ANN REA, M.D., PRESIDENT

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
IN THE MATTER OF THE PHYSICIAN'S LICENSE
OF
TIMOTHY WHITTLE, M.D.
DETERMINATION AND ORDER

THIS MATTER came on regularly for hearing on June 3, 2020, before the Mississippi State Board of Medical Licensure (hereinafter "Board"), pursuant to Title 73, Chapter 25 of the Mississippi Code of 1972, Annotated. The Board initiated these proceedings on the 10th day of April, 2020 by issuance of a Summons and Affidavit against TIMOTHY WHITTLE, M.D. (hereinafter "Licensee"), setting forth violations of the Mississippi Medical Practice act in three (3) counts: Count I, Miss. Code Ann. Section 73-25-29(13), Count II, Miss. Code Ann. Sections 73-25-29(8)(d) and 73-25-83(a), and Count III, Miss. Code Ann. Section 73-25-83(c), based in part on Licensee practicing medicine in contravention of an agreement with the Board not to practice medicine in any manner or to treat friends, staff, or family members.

Licensee appeared and was represented by counsel, Rodney A. Ray. Complaint Counsel for the Board was Honorable Stan. T. Ingram. Sitting as legal advisor to the Board was Honorable Ken Walley, Special Assistant Attorney General. Board members present for the proceedings were Jeanne Ann Rea, M.D., President, David W. McClendon, M.D., Michelle Y. Owens, M.D., Charles D. Miles, M.D., Ken Lippincott, M.D., Kirk L. Kinard, D.O., Daniel Edney, M.D., and Thomas Joiner, M.D., H. Allen Gersh, M.D., was present via

videoconference. Consumer members present were Wesley Breland, Maj. General (Ret.) Erik Hearon and Koomarie "Shoba" Gaymes.

Having conducted a hearing in this matter, and based upon the exhibits, testimony and the evidence presented, the Board renders the following Findings of Fact, Conclusions of Law, and Order based upon clear and convincing evidence.

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 and 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. 11439. Said license is current until June 30, 2020.
3. Licensee appeared at the hearing and the parties agreed to stipulate as to Licensee's guilt to the counts contained in the Affidavit.

Based on the Findings of Fact noted above, Licensee is guilty of Counts I and II of the aforementioned Summons and Affidavit.

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 suspended for a period of not less than one (1) year.

IT IS FURTHER ORDERED that, notwithstanding the one (1) year suspension as provided above, Licensee shall have the right but not the obligation to petition the Board for reinstatement of his medical license after expiration of six (6) months, provided Licensee has fully complied with all of the following requirements:

- (a) Licensee has submitted to the Board proof of compliance with all recommendations of Acumen Institute; and
- (b) Licensee has submitted to the Board proof of successful completion of Board-approved continuing medical education course in the area of professional boundaries; and
- (c) Licensee has submitted to the Board proof of successful completion of Board-approved continuing medical education course in the area of medical ethics; and
- (d) At Licensee's sole expense, he shall successfully completed a professional competency evaluation in obstetrics and gynecology by the Center for Personalized Education for Professionals (CPEP) before any consideration is given to reinstatement of his license. Upon completion of the evaluation, CPEP shall issue its report to the Board. Licensee shall comply with any and all training or other requirements deemed necessary in order to confirm that Licensee can practice with reasonable skill and safety to patients.

IT IS FURTHER ORDERED that Licensee may appear before the Board at a regular meeting to demonstrate compliance with the above requirements of this Order. If Licensee

demonstrates compliance with the requirements of this Order to the satisfaction of the Board, the Board will stay the last six (6) months of Licensee's suspension under this order.


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 3rd day of June, 2020.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY:



JEANNE ANN REA, M.D., PRESIDENT

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE

OF

OTIS ANDERSON, M.D.

CONSENT ORDER

WHEREAS, OTIS ANDERSON, M.D. alternately referred to herein as "Licensee," holds Mississippi Medical License No. 21754 (the "Mississippi License"), issued October 3, 2011.

WHEREAS, during 2019 and 2020, the Investigative Staff of the Mississippi State Board of Medical Licensure, hereinafter referred to as the "Board," conducted an investigation of Licensee. The Board initiated a disciplinary action and has in its possession evidence which, if produced during an evidentiary hearing, could substantiate that Licensee has violated provisions of the Law and the Board's Administrative Code, in six counts:

•**Count 1:** Licensee committed unprofessional conduct, as the result of calling-in prescriptions under the name of another provider when that other provider has not examined or treated the patient and while his Mississippi medical license was suspended, all in violation of Miss. Code Ann. §73-25-29(8)(d) and §73-25-83(a).

•**Count 2:** Licensee failed to comply with the terms and conditions imposed by the November 29, 2018, Consent Order which he entered with the Board, specifically condition three (3), all in violation of Miss. Code Ann., §73-25-29(13).

•**Count 3:** Licensee is in violation of the Board Administrative Code, Part 2630, Chapter 1.2(A) requiring physicians to hold an unrestricted license in order to collaborate with a Mid-Level provider, all in violation of I provider, all in violation of Miss. Code Ann. §73-25-29(13).

•**Count 4:** Licensee failed to comply with the terms and conditions imposed by the November 29, 2018, Consent Order he entered with the Board, specifically, condition (3), all in violation of Miss. Code Ann., §73-25-29(13).

•**Count 5:** Licensee issued fourteen (14) prescriptions for a Schedule III Controlled Substance (Suboxone) without a valid DEA Uniform Controlled Substances Registration Certificate, all in violation of the Board's Administrative Code Part 2640 Rule 1.3, all in violation of Miss. Code Ann., §73-25-29(8)(d) and §73-25-83(a).

•**Count 6:** Licensee failed to comply with the terms and conditions imposed by the November 29, 2018, Consent Order which he entered with the Board, specifically, condition (3), all in violation of Miss. Code Ann., §73-25-29(13).

WHEREAS, the above conduct, if established before the Board, constitutes violations of the Mississippi Medical Practice Act, specifically Miss. Code Ann. §73-25-29 Subsections (3), (8)(d) and (13) and §73-25-83(a), 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 the Licensee to avoid an evidentiary hearing before the Board and, in lieu thereof, has agreed to enter this Consent Order subject to the terms, conditions and restrictions as specified below;

WHEREAS, upon further review of all circumstance pertaining to the matters at issue the Board concludes that the status of Licensee's Mississippi License may be resolved by entry 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 suspend Licensee's certificate to practice medicine in the state of Mississippi, subject to the following terms and conditions:

1. Licensee's Certificate (No. 21754) to practice medicine in the State of Mississippi is hereby suspended for a period of one (1) year from the date of execution of this order, with no stay of the suspension.
2. At Licensee's sole expense, he shall successfully complete a professional competency evaluation by the Center for Personalized Education for Professionals (CPEP) before any consideration is given to reinstatement of his license. Upon completion of the evaluation, CPEP shall issue its report to the Board. Licensee shall comply with any and all training or other requirements deemed necessary in order to confirm that Licensee can practice with reasonable skill and safety to patients.
3. Licensee shall obey all federal, state and local laws, and all rules and regulations governing the practice of medicine.
4. 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 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.

After expiration of the one (1) year suspension, Licensee shall have the right, but not the obligation, pursuant to Miss. Code Ann. § 73-25-32, to petition the Board for reinstatement of licensure in order to demonstrate his compliance with the requirements of this Consent Order. In so doing, Licensee agrees to personally appear before the Board to demonstrate his compliance and shall not practice until the Board so authorizes. In the event the Board reinstates Licensee's medical license, it reserves the right to impose any other restriction deemed necessary to protect the public. 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 of this Consent Order, Licensee is not admitting to or acknowledging any conduct or 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 for the State of Mississippi. Licensee further acknowledges that the Board shall provide a copy of this Order to, among other, the U.S. Drug Enforcement Administration, and the Board makes no representation as to action, if any, which the U.S. Drug Enforcement Administration, insurance company, insurance panel, healthcare network, 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(1972), 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, **OTIS ANDERSON, M.D.**, 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, thereby suspending his medical license, subject to those terms and conditions above.

Executed, this the 6th day of ^{July}~~June~~, 2020.



OTIS ANDERSON, M.D.

ACCEPTED AND APPROVED, this the 4th day of June, 2020, by the Mississippi State Board of Medical Licensure.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY:


JEANNE ANN REA, M.D., PRESIDENT

From: DeCarlo Hood <[REDACTED]>
Sent: Monday, July 6, 2020 3:11 PM
To: Stan Ingram <[REDACTED]>
Subject: Fwd: Consent Order - Otis Anderson, MD

Please find attached Dr. Anderson signed consent agreement. So sorry for the delay!

Sent from my iPhone

Begin forwarded message:

From: Otis Anderson <[REDACTED]>
Date: July 6, 2020 at 3:05:23 PM CDT
To: DeCarlo Hood <[REDACTED]>
Subject: Re: Consent Order - Otis Anderson, MD

Signed

===== The information contained in this transmission is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. If you are not the intended recipient of this information, do not review, retransmit, disclose, disseminate, use, or take any action in reliance upon this information. If you received this transmission in error, please contact the sender immediately, destroy all printed copies, and delete the material from all computers. =====