

**MINUTES
EXECUTIVE COMMITTEE MEETING
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
SEPTEMBER 23, 2021**

MEMBERS PRESENT:

David W. McClendon, Jr., M.D., Ocean Springs, President
Michelle Y. Owens, M.D., Jackson, Vice President
C. Kenneth Lippincott, M.D., Tupelo, Secretary

ALSO PRESENT:

Stan T. Ingram, Counsel for the Board
Paul Barnes, Board Attorney
Alexis Morris, Special Assistant Attorney General
Kenneth Cleveland, Executive Director
Mike Lucius, Deputy Director
Jay Ledbetter, Chief of Staff
Anna Boone, Director of Licensure Division
Kristin Wallace, Compliance Officer
Jonathan Dalton, Director of Investigations
Arlene Davis, IT Director
Frances Carrillo, Staff Officer

The Executive Committee of the Mississippi State Board of Medical Licensure met on Thursday, September 23, 2021, at 8:14 a.m. in the Board Room of the Office of the Board located at 1867 Crane Ridge Drive, Jackson, Mississippi. This meeting was broadcast via Zoom.

Dr. McClendon opened the meeting and introduced the Executive Committee and attendees that were present.

PERSONAL APPEARANCE (via Zoom) BY RANDI LYNN WAGNER, PA-C

Mr. Barnes advised the Executive Committee that PA Wagner had previously appeared before the Executive Committee on March 24, 2021, seeking an exception to a part of Rule 1.2 of Part 2615, of the regulations governing the practice of Physician Assistants, specifically the definition in paragraph C. "Supervising Physician" means a doctor of medicine or a doctor of osteopathic medicine who holds an unrestricted license from the Board who practices within the state of Mississippi for a minimum of twenty (20) hours per week or eighty (80) hours per month (does not include telemedicine or chart review).

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PA Wagner is seeking an exception to paragraph C of Rule 1.2 of Part 2615, because the supervising physician listed on the protocol does not meet the 20 hour in-state practice requirement. At PA Wagner's previous appearance, the Executive Committee tabled consideration of the requested exception, because the regulation was pending final approval. After approval, the regulation went into effect on August 27, 2021. PA Wagner's appearance was to renew her request and explain to the Committee why good cause existed for the exception to be granted.

Ms. Wagner executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

Ms. Wagner joined the meeting via Zoom and was represented by legal counsel. Ms. Wagner briefly addressed the Committee followed by the introduction of her Attorney, Alexis Angel. Ms. Angel introduced Dr. Woznica, the collaborating Physician, Mr. Squire and Ms. Gordon as co-counsel, all of whom appeared via Zoom. Ms. Angel gave a brief presentation to the Committee outlining reasons for PA Wagner's request for an exemption.

A motion to close the meeting was made by Dr. Owens, seconded by Dr. Lippincott, and carried to discuss whether to go into executive session. Dr. McClendon moved to go into Executive Session, seconded by Dr. Owens, and carried to discuss the proposed protocol for an exception. The Board then entered executive session.

Upon a motion by Dr. Owens, seconded by Dr. McClendon, and carried, the Executive Committee came out of Executive Session, at which time Dr. McClendon asked Dr. Lippincott to report on its decision. Dr. Lippincott reported that the Board's decision was to grant a provisional one-year waiver, contingent upon quarterly reviews of Mississippi patient charts and results. PA Wagner was advised to contact the Executive Director, Dr. Cleveland, for details of the review process.

PERSONAL APPEARANCE (via Zoom) BY Adam Wennersten, PA

Mr. Barnes advised the Executive Committee that PA Wennersten was seeking an exception to a part of Rule 1.2 of Part 2615, of the regulations governing the practice of Physician Assistants, specifically the definition in paragraph C. "Supervising Physician" means a doctor of medicine or a doctor of osteopathic medicine who holds an unrestricted license from the Board who practices within the state of Mississippi for a minimum of twenty (20) hours per week or eighty (80) hours per month (does not include telemedicine or chart review).

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PA Wennersten addressed the Executive Committee and briefly summarized his proposed protocol with his collaborating physician who is in New York.

After discussion and questions from the Executive Committee, a motion to close the meeting was made by Dr. Lippincott, seconded by Dr. Owens, and carried to discuss whether to go into executive session. Dr. Owens moved to go into Executive Session, seconded by Dr. Lippincott, and carried to discuss the proposed protocol for an exception. The Board then entered executive session.

Upon a motion by Dr. Owens, seconded by Dr. McClendon, and carried, the Executive Committee came out of Executive Session, at which time Dr. McClendon asked Dr. Lippincott to report on its decision. Dr. Lippincott reported that the Board's decision was that the request for a waiver be denied. The protocol does not meet the requirements of the Telemedicine rules, specifically Rule 5.4 Physician Patient Relationship and Rule 5.5 Examination.

EXECUTIVE DIRECTOR REPORT TO THE EXECUTIVE COMMITTEE

Dr. Cleveland provided a brief summary regarding events for the months of July and August.

ADJOURNMENT

There being no further business, the meeting adjourned on Wednesday, September 23, 2021, at 9:48 am.


David W. McClendon, Jr., M.D.
President

Minutes taken and transcribed.
By Frances Carrillo
Staff Officer
September 23, 2021



MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

**Agreement to Appear Informally Before Executive Committee
by Current Licensee**

I, **Randi Lynn Wagner, PA** have been asked to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss issues which may relate to my practice and possible the grounds, if any, for disciplinary action, and possible resolution of the same. It is the purpose of the informal meeting to discuss the facts of the case, to give me an opportunity to ask questions of the Committee or its staff, and to give the Committee or its staff an opportunity to ask questions of me. Because the meeting is informal, no disciplinary action will be taken without my express written consent. In so doing, I have been advised and understand the following:

1. During the meeting, the Executive Committee may or may not be represented by legal counsel. Notwithstanding, I understand that I have a right, if I so choose, to employ legal counsel and have counsel present during the informal meeting.
2. I authorize the Committee Members to review and examine any statements, documentary evidence, or materials concerning the possible grounds for disciplinary action against my license.
3. Because the purpose of my appearance is to avoid a hearing before the Board, I agree that presentation to and consideration by the Committee of any facts, matters, and documents pertaining to my case shall not unfairly or illegally prejudice the Committee members from further participation or consideration in the event a formal hearing is later conducted. Stated differently, in the event the pending matter is not resolved following my appearance before the Committee, I will not object to any of the Committee members from further participating in subsequent meetings or hearings that may be conducted in relation to this matter.
4. By signing my name in the space provided below, I hereby authorize the Executive Committee to proceed with the informal appearance, subject to the stipulations and understandings as noted above. I have elected to proceed:

with legal counsel present (name of counsel: Paul Squire)

without legal counsel present

EXECUTED, this the 1 day of September, 2021.

Licensee: Randi L Wagner, PA-C

Witness: _____



MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

**Agreement to Appear Informally Before Executive Committee
by Current Licensee**

I, **Adam Michael Wennersten, PA** have been asked to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss issues which may relate to my practice and possible the grounds, if any, for disciplinary action, and possible resolution of the same. It is the purpose of the informal meeting to discuss the facts of the case, to give me an opportunity to ask questions of the Committee or its staff, and to give the Committee or its staff an opportunity to ask questions of me. Because the meeting is informal, no disciplinary action will be taken without my express written consent. In so doing, I have been advised and understand the following:

1. During the meeting, the Executive Committee may or may not be represented by legal counsel. Notwithstanding, I understand that I have a right, if I so choose, to employ legal counsel and have counsel present during the informal meeting.
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4. By signing my name in the space provided below, I hereby authorize the Executive Committee to proceed with the informal appearance, subject to the stipulations and understandings as noted above. I have elected to proceed:

_____ with legal counsel present (name of counsel: _____)

without legal counsel present

EXECUTED, this the 8 day of September, 2021.

Licensee: _____

Witness: _____