

**BOARD MINUTES  
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE  
JANUARY 11, 2024**

A regularly called meeting of the Mississippi State Board of Medical Licensure was held on January 11, 2024, at 1867 Crane Ridge Drive, Suite 200B, Jackson, MS, after being duly noticed on the Mississippi Public Notice website, this Board's website, and the front door of the Board's offices in accordance with law.

**A QUORUM OF SIX (6) VOTING MEMBERS WAS PRESENT ON JANUARY 11, 2024:**

Michelle Y. Owens, M.D., Jackson, President  
C. Kenneth Lippincott, M.D., Tupelo, Vice President  
Thomas Joiner, M.D., Jackson, Secretary  
David W. McClendon, Jr., M.D., Ocean Springs  
H. Allen Gersh, M.D., Hattiesburg via Zoom  
William E. Loper, M.D., Ridgeland  
Shoba Gaymes, Jackson, Consumer Member  
Wesley Breland, Hattiesburg, Consumer Member

**ALSO PRESENT:**

Paul Barnes, Board Attorney, Complaint Counsel via Zoom  
Alexis Morris, Special Assistant Attorney General  
Avery Lee, Co-Complaint Counsel  
Kenneth Cleveland, Executive Director  
Mike Lucius, Deputy Director  
Anna Boone, Director of Licensure Division  
Jackie McKenzie, Legal Assistant  
Ken Slay, IT Project Manager  
Jonathan Dalton, Director of Investigations  
Frances Carrillo, Executive Assistant  
Lori Busick, Brown Court Reporting

**NOT PRESENT:**

Kirk L. Kinard, D.O., Oxford  
Renia Dotson, M.D., Greenville  
Roderick Givens, M.D., Natchez  
Major General (Ret.) Erik Hearon, Jackson, Consumer Member

The meeting was called to order at 9:00 am, by Dr. Owens, President. The invocation was given by Dr. McClendon, and the pledge was led by Dr. Loper. Dr. Cleveland, Executive Director called Roll and reported there was a quorum present.

Dr. Owens introduced Alexis Morris, Special Assistant Attorney General who will serve as the Board's Hearing Officer, Avery Lee, who will serve as Co-Complaint Counsel and Lori Busick, Court Reporter with Brown Court Reporting.

### **Executive Director Report**

Dr. Cleveland provided an updated summary regarding Licensure and Investigative Division operations for the months of November and December 2023. Dr. Cleveland gave an overview of the 2024-25 Budget. He also reported plans to use the additional funds generated by Licensee fees to develop free in-state Continuing Medical Education.

### **Review and Approval of Minutes of the Executive Committee dated November 15, 2023.**

Upon review of the minutes of the Executive Committee Meeting dated November 15, 2023, Dr. McClendon moved for approval of the minutes as submitted. Dr. Joiner seconded the motion and it carried unanimously.

### **Review and Approval of Minutes of the Board Meeting dated November 15-16, 2023.**

Upon review of the minutes of the Board Meeting dated November 15-16, 2023, Dr. Lippincott moved for approval of the minutes as submitted. Dr. McClendon seconded the motion and it carried unanimously.

### **Report of January 10, 2024, Executive Committee Meeting**

Dr. Joiner reported on the matters considered by the Executive Committee on January 10, 2024, and the recommendations made.

A motion was made by Dr. McClendon, seconded by Dr. Loper, and carried, to accept the report and ratify the recommendations as reported by the Executive Committee.

### **Scope of Practice - Dr. Kinard (Chair), Dr. Gersh, Dr. McClendon, Dr. Givens, Dr. Dotson, Mr. Breland, Ms. Gaymes, Dr. Cleveland**

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

### **Professionals Health Program - Dr. Lippincott (Chair), Dr. Gersh, Dr. Joiner, Dr. Loper, Maj Gen Hearon, Ms. Gaymes, Anthony Cloy, Dr. Cleveland**

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

### **Telemedicine I Interstate Licensure Compact – Dr. Givens (Chair), Dr. Kinard, Dr. Lippincott, Dr. Dotson, Maj Gen Hearon, Dr. Cleveland, Mr. Lucius**

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

**Licenses Education and Communication - Dr. McClendon (Chair), Dr. Gersh, Dr. Kinard, Dr. Joiner, Dr. Lippincott, Mr. Breland, Ms. Gaymes, Dr. Cleveland, Mr. Lucius, Camille Young**

Dr McClendon requested topic suggestions for articles or topics to be spotlighted in the Mississippi State Board of Medical Licensure newsletter.

**Physician Assistant Advisory Task Force - Dr. Kinard (Chair), Mr. Jonathan Dalton, Maj Gen Hearon, Joanna Mason, PA-C, Tristen Harris, PA-C, Stephen English, PA-C, Steve Martin, PA-C, Deb Munsell, PA-C, Vanessa Perniciaro, PA-C, Dr. Cleveland, Mr. Ledbetter**

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

**Rules, Regulation & Legislative - Dr. Joiner (Chair), Dr. Gersh, Dr. Loper, Dr. Lippincott, Mr. Breland, Dr. Cleveland, Jay Ledbetter**

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

**APPROVAL OF CONSENT ORDER FOR WADE L. BANKER, M.D.  
MISSISSIPPI MEDICAL LICENSE 19652**

Mr. Barnes briefly summarized the circumstances leading to this Consent Order, which mirrored action by the Ohio Medical Board. Dr. Banker's Ohio medical license was permanently revoked in May 2023. This action is currently under appeal and Dr. Banker agreed to execute this Consent Order which indefinitely suspended his Mississippi medical license pending his appeal in Ohio.

After discussion, a motion was made by Dr. Joiner, seconded by Dr. McClendon, and carried unanimously to **APPROVE** the consent order.

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

The official account of this proceeding was recorded by Lori Busick, Court Reporter, Brown Court Reporting, Inc.

**HEARING IN THE CASE OF FOLUSO A. FAKOREDE, M.D., CLEVELAND, MS  
MISSISSIPPI MEDICAL LICENSE 23725  
MOTION FOR A CONTINUANCE**

Mr. Barnes advised he is with agreement with Dr. Fakorede's counsel to request for a continuance.

After discussion, a motion was made by Dr. Loper, seconded by Dr. McClendon, and carried unanimously to **ACCEPT** the motion to continue this matter until the January 2024 Board meeting.

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

**HEARING IN THE CASE OF BENJAMIN A. FEINZIMER, M.D., DEERFIELD, IL**  
**MISSISSIPPI MEDICAL LICENSE 26008**  
**MOTION FOR A CONTINUANCE**

Mr. Barnes advised that Dr. Feinzimer's attorney had requested a continuance.

A motion was made by Dr. Loper, seconded by Dr. McClendon, and carried unanimously to **ACCEPT** the motion to continue this matter until the November Board meeting.

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

**HEARING IN THE CASE OF TRUNG NAM NGUYEN, D.O., TYLER, TX**  
**MISSISSIPPI MEDICAL LICENSE 26072**  
**MOTION FOR A CONTINUANCE**

Mr. Barnes advised that Dr. Nguyen's attorney had requested a continuance.

A motion was made by Dr. Joiner, seconded by Dr. Loper, and carried unanimously to **ACCEPT** the motion to continue this matter until the November Board meeting.

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

**HEARING IN THE CASE OF JAMES L. HOLZHAUER, M.D., COLUMBUS, MS**  
**MISSISSIPPI MEDICAL LICENSE 11477**  
**MOTION FOR A CONTINUANCE**

Mr. Barnes advised that Dr. Holzauer's attorney had requested a third continuance. Mr. Barnes advised the Board to enter into executive session for a report of this matter to determine a decision.

A motion was made by Dr. Lippincott, seconded by Dr. McClendon, and carried that the Board enter into executive session to consider the proposed consent order which the consideration could lead to an appeal of the Board's decision.

Upon a motion by Dr. Loper, seconded by Dr. McClendon, and carried, the Board came out of executive session at which time Dr. Owens asked Dr. Joiner to report on its decision. Dr. Joiner reported that it was the Board's decision to **GRANT** a Continuance, and this will be the last continuance to be granted. A hearing must be set by the next scheduled board meeting for a final resolution.

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

The official account of this proceeding was recorded by Lori Busick, Court Reporter, Brown Court Reporting, Inc.

**HEARING IN THE CASE OF EDWARD S. MOAK, M.D., BROOKHAVEN, MS  
MISSISSIPPI MEDICAL LICENSE 09304**

Ms. Lee advised that Dr. Moak communicated that morning by email that he is unable to attend the hearing because of a medical condition. Ms. Lee recommended to the Board to continue this hearing until the March meeting, with the temporary suspension to remain in place pending the hearing.

After discussion, a motion was made by Dr. Joiner, seconded by Dr. Loper, and carried unanimously to **ACCEPT** the motion to continue this matter with the temporary suspension in place until the March Board meeting.

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

**PURSUANT TO MS CODE § 73-25-27, INVESTIGATIVE SUBPOENAS FOR  
APPROVAL, CASE NUMBERS 2024-049, 2024-040 and 2024-020.**

A motion was made by Dr. McClendon, seconded by Dr. Kinard, and carried that the Board meeting be closed to discuss whether to enter into executive session for the purpose of approving investigative subpoenas for case numbers 2024-049, 2024-040 and 2024-020. (Agenda Item 15)

**CLOSED SESSION**

During closed session, a motion was made by Dr. Joiner, seconded by Dr. Lippincott, and carried that the Board enter executive session for the purpose of approving investigative subpoenas for case numbers 2024-049, 2024-040, 2024-020 and 2024-054. (Agenda Item 15)

Upon a motion by Dr. McClendon, seconded by Dr. Gersh and carried unanimously, the Board came out of executive session. It was reported that the Board unanimously approved the investigative subpoenas for case numbers 2024-049, 2024-040, 2024-020 and 2024-054. (Agenda Item 15) Pursuant to Miss. Code § 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.

**MARCH 2024 BOARD MEETING DATES, WEDNESDAY, MARCH 15, 2024 AND THURSDAY, MARCH 16, 2024.**

After discussion regarding dates the next regularly scheduled meeting of the board was set for Wednesday, March 20, 2024 and Thursday, March 21, 2024.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 10:06 a.m.

  
**Michelle Y. Owens, M.D.**  
**President**

**Minutes taken and transcribed by:**  
Frances Carrillo, Executive Assistant  
January 11, 2024

**BOARD MEETING AGENDA**  
**MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE**  
**January 11, 2024 at 9:00 am**

1. Meeting called to order.
2. Invocation, Pledge
3. Announcements and Public Comments
4. Executive Director Report.
5. Approval of Minutes of the Executive Committee dated November 15, 2023.
6. Approval of Minutes of the Board Meeting dated November 15 and 16, 2023.
7. Report of January 10, 2024, Executive Committee Meeting.
8. Reports from Committees
  1. Scope of Practice: Dr. Kinard (Chair), Dr. Gersh, Dr. McClendon, Dr. Givens, Dr. Dotson, Mr. Breland, Ms. Gaymes, Dr. Cleveland
  2. Professionals Health Program: Dr. Lippincott (Chair), Dr. Gersh, Dr. Joiner, Dr. Loper, Maj Gen Hearon, Ms. Gaymes, Dr. Cloy, Dr. Cleveland
  3. Telemedicine I Interstate Licensure Compact: Dr. Givens (Chair), Dr. Kinard, Dr. Lippincott, Dr. Dotson, Maj Gen Hearon, Dr. Cleveland, Mr. Lucius
  4. Licensees Education and Communication: Dr. McClendon (Chair), Dr. Gersh, Dr. Kinard, Dr. Joiner, Dr. Lippincott, Mr. Breland, Ms. Gaymes, Dr. Cleveland, Mr. Lucius, Ms. Young
  5. Physician Assistant Advisory Task Force: Dr. Kinard (Chair), Mr. Dalton, Maj Gen Hearon, Joanna Mason, PA-C, Tristen Harris, PA-C, Stephen English, PA-C, Steve Martin, PA-C, Deb Munsell, PA-C, Vanessa Perniciaro, PA-C, Dr. Cleveland, Mr. Ledbetter
  6. Rules, Regulation & Legislative: Dr. Joiner (Chair), Dr. Gersh, Dr. Loper, Dr. Lippincott, Mr. Breland, Dr. Cleveland, Mr. Ledbetter
09. Wade L. Banker, M.D., Sylvania, OH  
Mississippi Medical License 19652  
Approval of Consent Order
10. Hearing in the Case of Foluso A. Fakorede, M.D., Cleveland, MS  
Mississippi Medical License 23725  
Motion for a Continuance

11. Hearing in the Case of Benjamin A. Feinzimer, M.D., Deerfield, IL  
Mississippi Medical License 26008  
Motion for a Continuance
12. Hearing in the Case of Trung Nam Nguyen, D.O., Tyler, TX  
Mississippi Medical License 26072  
Motion for a Continuance
13. Hearing in the Case of James L. Holzhauer, M.D., Columbus, MS  
Mississippi Medical License 11477  
Motion for a Continuance
14. Hearing in the Case of Edward S. Moak, M.D., Brookhaven, MS  
Mississippi Medical License 09304
15. Pursuant to MS Code §73-25-27, Investigative Subpoenas for approval, Case Numbers: 2024-049, 2024-040 and 2024-020. This is a matter for review and discussion to be held in executive session due to material being exempt from the public records act.
16. 2024 FSMB Annual Meeting - April 18-20, 2024
17. March 2024 Board Meeting Dates, Wednesday, March 20, 2024 and Thursday, March 21, 2024.



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

**IN THE MATTER OF PHYSICIAN'S LICENSE**

**OF**

**WADE LOWELL BANKER, M.D.**

**CONSENT ORDER**

**WHEREAS**, Wade Lowell Banker, M.D., hereinafter referred to as "Licensee," is the current holder of License No. 19652, issued February 12, 2007, for the practice of medicine in the State of Mississippi;

**WHEREAS**, on April 26, 2023, the State Medical Board of Ohio, hereinafter referred to as the "Ohio Board," ordered the **PERMANENT REVOCATION** of Licensee's Ohio Medical License after finding that he engaged in unprofessional conduct as defined in Ohio Revised Code Section 4731.22(B)(6), by "[a] departure from, or the failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established," as well as 4731.22(B)(2), "[f]ailure to maintain minimal standards applicable to the selection or administration of drugs, or failure to employ acceptable scientific methods in the selection of drugs or other modalities for treatment of disease";

**WHEREAS**, pursuant to Miss. Code Ann. § 73-25-29 (9) (1972), the aforementioned actions by the State Medical Board of Ohio constitute action against Licensee's ability to practice in another jurisdiction, grounds for which the Mississippi State Board of Medical Licensure, hereinafter referred to as the "Board," may suspend his right to practice for a time deemed proper by the Board, place his license on probation,

the terms of which may be set by the Board, or take any other action in relation to his license as the Board may deem proper under the circumstances;

**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 his 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 his joinder herein, does hereby formally accept the following terms and conditions:

1. Licensee's Mississippi medical license is **INDEFINITELY SUSPENDED**.
2. Licensee shall obey all federal, state, and local laws, and all rules and regulations governing the practice of medicine. Any further acts of misconduct will result in further action.
3. Licensee shall reimburse the Board for all costs incurred in relation to the pending matter pursuant to Miss. Code Ann. § 73-25-30, said amount not to exceed \$10,000. 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.

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.

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. Licensee further acknowledges that he may be required to personally appear before the Board on the scheduled hearing date to answer any questions which the Board may have. 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, including Licensee's answers to questions, 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 National Practitioners Data Bank (NPDB), the Mississippi Department of Health (MSDH), the Federation of State Medical Boards (FSMB), the Office of the Inspector General, United States Department of Health and Human Services (OIG HHS), the U.S. Drug Enforcement Administration (DEA), the Mississippi Division of Medicaid, the Mississippi Board of Pharmacy, and the Mississippi State Medical Association (MSMA). The Board makes no

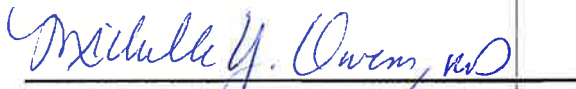
representation as to what action, if any, which any other agency or jurisdiction may take in response to this Consent Order."

Recognizing his right to notice of charges specified against him, to have such charges adjudicated pursuant to Miss. Code Ann. § 73-25-27, 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, **WADE LOWELL BANKER, M.D.** nonetheless, hereby waives his right to notice and a formal adjudication of charges and authorizes the Board to enter an order accepting this Consent Order.

**EXECUTED**, this the 27<sup>th</sup> day of November, 2023.

  
**Wade Lowell Banker, M.D.**

**ACCEPTED AND APPROVED** this the 11<sup>th</sup> day January, 2024, by the Mississippi State Board of Medical Licensure.

  
**Michelle Y. Owens, M.D.**  
**Board President**

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

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**IN THE MATTER OF THE LICENSE OF:**

**FOLUSO A. FAKOREDE, M.D. (No. 23725)**

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**FOURTH ORDER OF CONTINUANCE**

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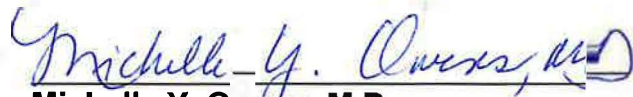
**THIS MATTER** came on regularly for consideration by the Mississippi State Board of Medical Licensure in response to a request for continuance of the hearing set for this date by Foluso A. Fakorede, M.D., (hereinafter "Licensee") through his counsel Douglas Mercier, Esq. After consideration of the matter, the Board finds Licensee's request to be well-taken, and is hereby **GRANTED**.

**IT IS, THEREFORE, ORDERED**, that this matter is continued until March 21st, 2024.

**SO ORDERED** this, the 11th day of January 2024.

**MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE**

BY:



**Michelle Y. Owens, M.D.  
President**

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

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**IN THE MATTER OF THE LICENSE OF:**

**BENJAMIN ALAN FEINZIMER, D.O. (No. 26008)**

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**ORDER OF CONTINUANCE**

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**THIS MATTER** came on regularly for consideration by the Mississippi State Board of Medical Licensure in response to a request for continuance of the hearing set for this date by Benjamin Alan Feinzimer, D.O., (hereinafter "Licensee") through his counsel Philip J. Chapman, Esq. After consideration of the matter, the Board finds Licensee's request to be well-taken, and is hereby **GRANTED**.

**IT IS, THEREFORE, ORDERED**, that this matter is continued until March 21, 2024.

**SO ORDERED** this, the 11th day of January 2024.

**MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE**

**BY:**

  
**Michelle Y. Owens, M.D.**  
**President**

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

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**IN THE MATTER OF THE LICENSE OF:**

**TRUNG NAM NGUYEN, M.D. (No. 26072)**

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**ORDER OF CONTINUANCE**

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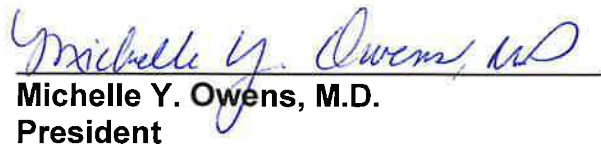
**THIS MATTER** came on regularly for consideration by the Mississippi State Board of Medical Licensure in response to a request for continuance of the hearing set for this date by Trung Nam Nguyen, M.D., (hereinafter "Licensee") through his counsel Stephen Angelette, Esq. After consideration of the matter, the Board finds Licensee's request to be well-taken, and is hereby **GRANTED**.

**IT IS, THEREFORE, ORDERED**, that this matter is continued until March 21st, 2024.

**SO ORDERED** this, the 11th day of January 2024.

**MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE**

BY:

  
Michelle Y. Owens, M.D.  
President

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

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**IN THE MATTER OF THE LICENSE OF:**

**JAMES L. HOLZHAUER, M.D. (No. 11477)**

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**THIRD ORDER OF CONTINUANCE**

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**THIS MATTER** came on regularly for consideration by the Mississippi State Board of Medical Licensure (hereinafter “Board”) in response to a request for continuance of the hearing set for this date by James L. Holzhauser, M.D., (hereinafter “Licensee”) through his counsel Whit Johnson, Esq.

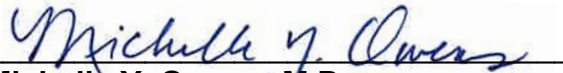
After consideration, the Board finds that this is the last continuance **GRANTED** in this matter and that this matter must be set for hearing at the next Board meeting. Accordingly, a final resolution must be determined at that time.

**IT IS, THEREFORE, ORDERED**, that this matter is continued until March 20, 2024.

**SO ORDERED** this the 11th day of January 2024.

**MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE**

BY:

  
Michelle Y. Owens, M.D.  
President



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

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**IN THE MATTER OF THE LICENSE OF:**

**EDWARD S. MOAK, M.D. (No. 09304)**

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**ORDER OF CONTINUANCE**

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**THIS MATTER** came on regularly for consideration by the Mississippi State Board of Medical Licensure (hereinafter "Board") in response to a request for continuance of the hearing set for this date by Edward S. Moak, M.D., (hereinafter "Licensee"). This Board issued an Order of Temporary Suspension on December 15, 2023, barring Licensee from the practice of medicine in the state of Mississippi pending the outcome of a hearing in this matter.

After consideration of the matter, the Board finds Licensee's request to be well-taken, and is hereby **GRANTED**, on express condition that the Order of Temporary Suspension remains in effect during the interim.

**IT IS, THEREFORE, ORDERED**, that this matter is continued until March 21, 2024. All other terms and conditions of the Order of Temporary Suspension remain in effect. Licensee is suspended from the practice of medicine until further order of the Board

**SO ORDERED** this the 11th day of January 2024.

**MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE**

BY:

  
Michelle Y. Owens, M.D.  
President