

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
IN THE MATTER OF THE PHYSICIAN'S LICENSE
OF
TIMOTHY SUMMERS, M.D.

CONSENT ORDER

WHEREAS, TIMOTHY SUMMERS, M.D., hereinafter referred to as "Licensee," is the current holder of Mississippi Medical License No. 7197, said license number expires on June 30, 2019;

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 an evidentiary hearing, would substantiate that Licensee has violated certain provisions of the Mississippi Medical Practice Law, specifically, Subsections (8)(d) and (13) of §73-25-29 and §73-25-83(a), Miss. Code Ann., as amended, including but not limited to provisions of the Board's Administrative Code pertaining to the administering, prescribing and dispensing of controlled substances; for which 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 Licensee to avoid an evidentiary hearing before the Board and, in lieu thereof, has agreed to enter into 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 for a period of one (1) year, but said suspension to

be automatically stayed upon expiration of six (6) months from the date hereof, subject to the following probationary terms and conditions:

1. Licensee shall, within six (6) months of the acceptance and approval of this Order, successfully complete Board approved Continuing Medical Education (CME) in the areas of (i) Medical Ethics, (ii) Practice Boundaries, (iii) Prescribing of Controlled Substances, and (iv) 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. Upon expiration of the aforementioned six (6) month actual suspension, and provided Licensee has fully adhered to all of the other conditions and requirements of this Consent Order, Licensee shall be authorized to return to practice, but shall be indefinitely restricted from prescribing Schedule II, IIN, III and IIIN controlled substances until otherwise authorized by order of the Board.
3. Licensee shall obey all federal, state and local laws, and all rules and regulations governing the practice of medicine.
4. Licensee has the right, but not the obligation, to seek an appearance before the Board for reconsideration after the expiration of at least one (1) year from the date of this Order. Licensee agrees that the terms and conditions of this Order, once executed, may not be

appealed. That is, there shall be no right to petition for reconsideration until after expiration of at least one (1) year from the date of this Order.

5. 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.

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.

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 misconduct or act of 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 of the State of Mississippi, thereby accessible through the Board's website. Licensee

further acknowledges that the Board shall provide a copy of this Consent Order to, among others, the U.S. Drug Enforcement Administration. Due to the public nature of this Order, the Board makes no representation as to actions, if any, which any insurance company, 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, **TIMOTHY SUMMERS, M.D.**, nevertheless, hereby waives his right to notice and a formal adjudication of all charges and hereby voluntarily executes this Consent Order, thereby suspending his medical license with stay, subject to those terms and conditions listed above.

EXECUTED AND EFFECTIVE, this 20th day of September, 2018.

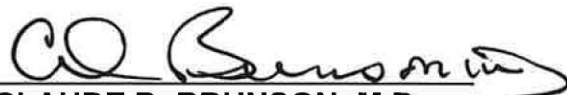
A handwritten signature in blue ink, reading "T. Summers M.D.", with a horizontal line underneath the name.

TIMOTHY SUMMERS, M.D.

ACCEPTED AND APPROVED, this 20th day of September, 2018, by the Mississippi State Board of Medical Licensure.

A handwritten signature in blue ink, reading "Ken Cleveland", with a horizontal line underneath.

KENNETH E. CLEVELAND, M.D.
Executive Director

A handwritten signature in blue ink, reading "C.D. Brunson", with a horizontal line underneath.

CLAUDE D. BRUNSON, M.D.
Board President