

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

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

**OF**

**WALTER RAY WOLFE, M.D.**

**ORDER OF TEMPORARY SUSPENSION**

**WHEREAS, WALTER RAY WOLFE, M.D.,** hereinafter referred to as "Licensee," is the current holder of Mississippi Medical License No. 11096, said license number expires on June 30, 2020; and

**WHEREAS,** on November 7, 2018, The Mississippi State Board of Medical Licensure, hereinafter referred to as the "Board," received a complaint from a healthcare practitioner in the Jackson, Mississippi area, who wished to report general concerns of alleged professional sexual misconduct between Licensee and several unknown patients; and

**WHEREAS,** on November 9, 2018, a Physician Assistant (PA) student who was previously associated with Licensee in June-July 2018, while she completed the OB/GYN portion of her clinicals at Licensee's two (2) clinic locations, was interviewed and advised that she witnessed Licensee kiss a pregnant patient on the lips just prior to an ultrasound being performed on this patient. The PA student further advised that Licensee was the father of the unborn child carried by said patient. A certified copy of the birth certificate for this child was obtained from the Mississippi State Department of Health Vital Records Office and revealed that this child was delivered at a residential address wherein Licensee resides. Further, the birth certificate listed Walter Ray Wolfe as the child's father; and

**WHEREAS,** in 2016, a lawsuit was filed by the former husband of a patient. Said lawsuit alleged that Licensee employed this patient in 2015 and encouraged her to enter into a sexual

affair with him. In one of Licensee's responses to the lawsuit, he acknowledged and admitted to a relationship with this patient. While pregnant and during sex with said patient, Licensee attempted without the patient's knowledge or consent to insert four (4) Misoprostol (Cytotec) tablets into the patient's vagina in an attempt to induce an abortion; however, the patient later gave birth to Licensee's child in 2016; and

**WHEREAS**, on January 21, 2019, Affiant interviewed a previous patient of Licensee who advised that Licensee made inappropriate comments to her immediately after he conducted a vaginal examination on this patient; and

**WHEREAS**, a practitioner in the field of obstetrics and gynecology was consulted and reviewed the complaints against Licensee. Based on this review, this practitioner deemed Licensee to be an immediate threat to not only the citizens of Mississippi, but to any patient that should enter into his care; and

**WHEREAS**, as further evidenced by separate Determination of Need for Temporary Suspension, the Board has determined that the evidence in its possession indicates that Licensee's continued practice of medicine would constitute an immediate danger to public health and safety.

**NOW, THEREFORE, IT IS HEREBY ORDERED**, that pursuant to authority granted in Miss. Code Ann. §§ 73-25-89, Mississippi Medical License No. 11096 is hereby **temporarily suspended**, and Licensee shall be prohibited from the practice of medicine pending the outcome of a hearing as scheduled in the matter.

The above action is hereby taken on a temporary basis, without a hearing. Enclosed herewith, and served as part of this Order of Temporary Suspension, is a copy of the Determination of the Board, wherein it was found that the Board has in its possession evidence

indicating that Licensee's continuation in the practice of medicine would constitute an immediate danger to public health and safety. Pursuant to authority granted by Miss. Code Ann. § 73-25-89, the Board may suspend a license on a temporary basis, without a hearing, which it could otherwise take following a hearing, provided proceedings for a hearing before the Board are initiated simultaneously with such temporary action and, provided that Licensee be provided a hearing within fifteen (15) days of such action. Also enclosed is a Summons with supporting Affidavit which designates the time and place for a hearing, as specified within the statute.

**IT IS FURTHER ORDERED**, that a copy of this Order shall be sent by registered mail or personally served upon Walter Ray Wolfe, M.D., and should be effective immediately upon receipt thereof.

**ORDERED**, this the 10th day of July, 2019.

**MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE**

A handwritten signature in black ink, appearing to read "Ken Cleveland", written over a horizontal line.

Kenneth E. Cleveland, M.D.  
Executive Director

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

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

**OF**

**WALTER RAY WOLFE, M.D.**

**DETERMINATION OF NEED FOR TEMPORARY SUSPENSION**

**WHEREAS**, the Mississippi State Board of Medical Licensure, hereinafter referred to as the "Board," has determined that it has evidence in its possession indicating that the continued practice of medicine or unrestricted medicine by WALTER RAY WOLFE, M.D., hereinafter referred to as "Licensee," would constitute an immediate danger to the public. Said facts in support of this Determination are set forth by the Affidavit of Leslie Ross, Director of Investigations for the Board, attached hereto as Exhibit "A" and incorporated herein by reference;

**WHEREAS**, it is the duty of the Mississippi State Board of Medical Licensure to protect the public, and to especially do so in cases that demonstrate immediate harm to the public;

**NOW, THEREFORE, IT IS HEREBY ORDERED**, that temporary disciplinary action should be taken, without a hearing, suspending Licensee from the practice of medicine, provided that proceedings for a hearing before the Board are initiated simultaneously with said temporary action pursuant to authority granted in Miss. Code Ann., §73-25-89 (1972) with the hearing to be held within fifteen (15) days of this action;

**IT IS FURTHER ORDERED**, that a copy of this Determination shall be sent by registered mail or personally served upon Walter Ray Wolfe, M.D., and should be effective immediately upon receipt thereof.

ORDERED, this the 10th day of July, 2019.

**MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE**

A handwritten signature in black ink, appearing to read "Ken Cleveland", written over a horizontal line.

Kenneth E. Cleveland, M.D.  
Executive Director

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

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

**OF**

**WALTER RAY WOLFE, M.D.**

**SUMMONS**

**TO: WALTER RAY WOLFE, M.D.  
163 RIVER OAKS DRIVE, STE 204  
CANTON, MS 39046**

**LICENSE NO. 11096**

**YOU ARE HEREBY SUMMONED** to appear before the Mississippi State Board of Medical Licensure in its Board Room, 1867 Crane Ridge Drive, Suite 200-B, Jackson, Hinds County, Mississippi, on July 24, 2019, at 9:00 a.m., to answer the charges filed against you in the matter now pending before this Board. The Mississippi State Board of Medical Licensure, charged by law with the licensing of medical practitioners in this state, under Title 73, Chapter 25, Miss. Code Ann. (1972), charges that you, a physician duly licensed under the authority of the Mississippi State Board of Medical Licensure and the laws of the State of Mississippi, are guilty of violating professional boundaries with patients; guilty of failing to maintain patient records of controlled substances prescribed; guilty of committing a physical assault on a patient with the unwanted insertion of medication into her vagina; and by virtue of said violations, are guilty of unprofessional conduct, which includes being guilty of dishonorable or unethical conduct likely to deceive, defraud or harm the public and guilty of prescribing drugs have addiction-forming or addiction-sustaining liability other than in the course of legitimate professional practice.

Pursuant to Sections 73-25-29 (3), (8)(d) and (13), and Section 73-25-83(a), Miss. Code Ann. (1972), as amended, such action constitutes grounds for which the Mississippi State Board of Medical Licensure may place your license on probation, the terms of which may be set by the Board, suspend your right to practice for a time deemed proper by the Board, revoke your Mississippi medical license or take any other action in relation to your license as the Board may deem proper under the circumstances.

The Mississippi State Board of Medical Licensure further advises that you have the right to be present at the hearing, to be represented by counsel, to produce witnesses or evidence on your behalf, to cross-examine witnesses and to have subpoenas issued on your behalf by this Board.

You are advised to review and comply with Title 30, Part 2645, Rules of Procedure of the Administrative Code of the Board. A full text of the Board's "Rules of Procedure" can be found at the Board's web-site, [www.msbml.ms.gov](http://www.msbml.ms.gov) or can be obtained from the Board's office.

**GIVEN UNDER MY HAND AND SEAL OF OFFICE**, this the 10th day of July, 2019.



**KENNETH E. CLEVELAND, M.D.**  
EXECUTIVE DIRECTOR  
MISSISSIPPI STATE BOARD OF  
MEDICAL LICENSURE

**Board Complaint Counsel:**

*Stan Ingram, Esq.*

Biggs, Ingram & Solop, PLLC

Post Office Box 14028

Jackson, MS 39236-4028

Telephone: (601) 713-1192

Facsimile: (601) 713-2049

I, Leslie Ross, Director of Investigations of the Mississippi State Board of Medical Licensure, did personally serve an original copy of this Summons and Affidavit to Walter R. Wolfe, M.D., on the 10th day of July 2019.



Leslie Ross  
Director of Investigations

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

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

**OF**

**WALTER RAY WOLFE, M.D.**

**STATE OF MISSISSIPPI**

**COUNTY OF HINDS**

**AFFIDAVIT**

I, Leslie Ross, Director of Investigations, Mississippi State Board of Medical Licensure, hereinafter referred to as the "Board," do hereby make oath that I have reason to believe and do believe:

1. That **WALTER RAY WOLFE, M.D.**, hereby referred to as "Licensee," currently holds Mississippi Medical License Number 11096, and said number is valid until June 30, 2020.
2. That Licensee lists his primary practice location as 163 River Oaks Drive, Suite 204, Canton, Mississippi. Licensee lists his specialty as Obstetrics and Gynecology. Licensure records show Licensee as being sixty (60) years of age with a DOB of October 23, 1958. Licensee's contact numbers are (601) 855-4881 (clinic) and (601) 946-3777 (cell).
3. That on November 7, 2018, The Mississippi State Board of Medical Licensure, hereinafter referred to as the "Board," received information from a healthcare practitioner in the Jackson, Mississippi area, who wished to report general concerns of alleged professional sexual misconduct between Licensee and several unknown patients.

**PATIENT NO. 1**

**EXHIBIT "A"**



4. That on November 9, 2018, Affiant interviewed a Physician Assistant (PA) student who was previously associated with Licensee in June-July 2018, while she completed the OB/GYN portion of her clinicals at Licensee's two (2) clinic locations. The PA student advised Affiant that, during the clinical rotation at Licensee's Canton office location, she witnessed Licensee kiss a pregnant patient (Patient #1) on the lips in the ultrasound room, just prior to an ultrasound being performed on Patient #1. The PA student stated that it was common knowledge around the Canton office that Licensee was the father of Patient #1's unborn child.
5. Affiant requested and obtained from the Mississippi State Department of Health Vital Records Office a certified copy of the birth certificate for the aforementioned child of Patient #1. The information contained therein listed Licensee as the father of Patient #1's child; reflected that the child was born on July 8, 2018; and listed a residential address in Madison, Mississippi, as the facility location where the birth occurred. On Licensee's most recent medical license renewal, he lists this residential address as his mailing address.
6. According to the records provided by Licensee, Patient #1 became a patient of his on or about August 7, 2015, as that is when Licensee created a medical record for Patient #1 and documented her visit as a new GYN visit. The record lists her as a twenty-four (24) year old female with a chief complaint of fatigue and hot flashes. At this time, Licensee was fifty-seven (57) years of age.  
  
The next documented visit dates are January 15, 2016; February 16, 2016; December 1, 2017, at which time Patient #1 was diagnosed as being pregnant; December 19, 2017; January 31, 2018; February 12, 2018; April 16, 2018; May 29, 2018; and October 3, 2018. This individual was a patient of Licensee's prior to, during and after becoming pregnant with Licensee's child.

7. Licensee prescribed the following medications to Patient #1, to wit:

<u>ISSUE DATE</u>	<u>RX#</u>	<u>DRUG NAME</u>	<u>STRENGTH</u>	<u>QTY.</u>	<u>REFILLS</u>
01/15/2016	4455010	Alprazolam	0.5mg	30	0
03/01/2016	4455468	Alprazolam	0.5mg	30	3
04/27/2016	4456079	Alprazolam	1mg	60	0
06/20/2016	4456596	Alprazolam	0.5mg	60	1
07/14/2016	4456823	Alprazolam	1mg	60	0
09/01/2016	4457287	Alprazolam	0.5mg	30	0
06/03/2017	1260038	Alprazolam	1mg	30	0
06/25/2018	417935	Clindesse Cream	2%	5	0

\*gray shaded areas indicate that these prescriptions were not documented in the patient chart maintained/ produced by Licensee\*

8. When producing the patient record for Patient #1, Licensee commented to Affiant that he was surprised that there was a chart on her. During an interview of Licensee conducted on April 11, 2019, Licensee stated that Patient #1 transferred her OB/GYN care to another provider on or about February 17, 2016, because the other provider was located closer to where Patient #1 resided. However, Licensee's medical record for Patient #1 makes no reference as to who assumed medical care of the patient.
9. Notwithstanding Licensee's statement in reference to Patient #1 transferring her care in February 2016, Licensee continued to treat Patient #1 by prescribing to her controlled substances and other medication.
10. During the April 11, 2019 interview with Board investigators, Licensee acknowledged that he employed Patient #1 on an as needed basis, i.e. when the clinic was short-staffed. During the April 11, 2019 interview, Licensee agreed to provide proof of the dates of employment of Patient #1. Thereafter, counsel for the Board corresponded

with Licensee's counsel requesting such records. As of the date of this Affidavit, Licensee has failed to provide any employment information for Patient #1.

11. On information and belief, Licensee and Patient #1 began a sexual relationship sometime during 2017, the result of which Patient #1 became pregnant. Based on a December 27, 2017 prenatal test found in Licensee's medical chart for the patient, the approximate dated of conception was mid-October, 2017 (gestational age "10 wks 3 days").
12. After Patient #1 became pregnant with Licensee's child, he resumed placing entries in the patient chart, beginning December 1, 2017 (pregnancy test) and thereafter saw the patient through October 3, 2018 (post-partum follow-up/lab work).
13. [REDACTED]
14. According to Section 9.1.1 of the *Code Medical Ethics* of the American Medical Association, romantic or sexual interactions between physicians and patients that occur concurrently with the patient-physician relationship are unethical. A physician must terminate the patient-physician relationship before initiating dating, romantic or sexual relationship with a patient. Likewise, sexual or romantic relationships between a physician and a former patient may be unduly influenced by the previous patient-physician relationship. Sexual or romantic relationships with former patients are unethical if the physician uses or exploits trust, knowledge, emotions, or influence derived from the previous professional relationship, or if a romantic relationship would otherwise foreseeably harm the individual.

#### COUNT I

**Based upon the foregoing, Licensee is guilty of unprofessional conduct, which includes, but is not limited to, being guilty of any dishonorable or unethical conduct likely to harm the public by virtue of Licensee having sex with and impregnating a patient at a time when there was**

either a concurrent patient-physician relationship or by exploiting trust, knowledge, emotions or influence derived from a previous professional relationship (patient-physician and/or employer-employee) all in violation of Miss. Code Ann., §73-25-29(8)(d) and §73-25-83(a).

#### COUNT II

Based upon the foregoing, Licensee is guilty of failing to maintain patient records for controlled substances prescribed, as required in Title 30, Part 2640, *Rule 1.4 Maintenance of Records and Inventories* of the Board's Administrative Code, all in violation of Miss. Code Ann., §73-25-29(13).

#### COUNT III

Based upon the foregoing, Licensee is guilty of administering, dispensing or prescribing drugs having addiction-forming or addiction-sustaining liability other than in the course of legitimate professional practice, all in violation of Miss. Code Ann., §73-25-29(3).

#### PATIENT NO. 2


15. According to the medical records provided by Licensee, Patient #2 became a patient of his on or about April 19, 2012, when she presented for her first obstetrician visit. She was approximately seventeen (17) years old at that time.
16. Licensee provided OB/GYN care for Patient #2, delivering the patient's first child (October 4, 2012) and second child (May 17, 2014), thereafter providing medical care sporadically from 2014 through the present date.
17. During the April 11, 2019 interview with Board investigators, Licensee stated that after Patient #2 gave birth to her second child (in May 2014), she experienced massive post-partum hemorrhaging and began seeing another provider for her care. However, the patient record only reflects two (2) post-partum examinations, one of June 30, 2014, wherein Licensee prescribed a one (1) year supply of Prozac 20 mg caps for

depression; and July 14, 2014 for a blood pressure check following a complaint of headaches (BP 128/74). The "Discussion" section of the July 14, 2014 record reflects that Patient #2 was directed to call back 2-3 months if headaches still have not resolved for a referral if needed. The file contains no reference to a referral or the physician who may have assumed the patient care.

18. During the April 11, 2019 interview, Licensee admitted that Patient #2 worked as a doula, i.e. a person who provides emotional and physical support during childbirth and pregnancy. Patient #2 began training to be a doula in 2013 and worked alongside Licensee with his clients in this capacity at multiple deliveries. Subsequent to that time, Patient #2 was employed by Licensee as early as June - July, 2015 to work in Licensee's office assisting with office work. During the April 11, 2019 interview, Licensee agreed to provide proof of the dates of employment of Patient #2. Thereafter, counsel for the Board corresponded with Licensee's counsel requesting such records. As of the date of this Affidavit, Licensee has failed to provide any employment information for Patient # 2.

19. While Patient #2 worked with Licensee, he continued to treat Patient #2 as both a patient and employee issuing a prescription to her on April 10, 2015 for Virtussin. These events occurred prior to her becoming pregnant with Licensee's child on or about August or September 2015.

20. In August of 2015, the husband of Patient #2 discovered that his wife was having a relationship with Licensee after searching through a cell phone and discovering text messages between her and Licensee.

21. That further investigation by Affiant resulted in the discovery of a lawsuit filed by the now ex-husband of Patient #2. This lawsuit was filed 

 Named in the lawsuit

was Licensee, Magnolia Woman's Clinic, P.A., and John and/or Jane Does A, B and C. The lawsuit states that Licensee *"hired and aggressively pursued the wife of plaintiff in June 2015 while she was Defendant's patient, as well as an employee...with the intent of having an affair. In late June 2015, defendant asked plaintiff's wife to have an affair with defendant, which affair was consummated."*

22. That on October 20, 2016, the plaintiff filed an amended complaint, which again named Licensee as a defendant. This amended complaint restated the allegations contained within the initial lawsuit and further accused Licensee of *"impregnating plaintiff's wife, which has resulted in further alienation of affection."* [REDACTED]

[REDACTED] On November 21, 2016, Licensee filed his response to the amended complaint wherein Licensee admitted that he had a "relationship" with plaintiff's wife.

[REDACTED]

23. Further investigation by Affiant revealed that Patient #2 presented to The University of Mississippi Medical Center (UMMC) on October 17, 2015, at 4:51am, and used an alias rather than her legal name. The patient reported that she was pregnant and had intercourse around 10:30 pm on the previous night (October 16, 2015) with the father of the baby, identified in the records as *"Walter Wolfe, an OBGYN"* and that she was experiencing abdominal cramping and vaginal bleeding. The records state in part, *"She described what she thought was 'foreplay', then thought partner had inserted something into her vagina. Pt describes feeling like 'something wasn't right'. Initially, partner would not let her get out of bed. Within about 10 min, pt was able to get out of bed, realized something had been inserted into her vagina. Pt described pulling out 4 'pills'. Pt was able to identify these 'pills' via internet, as Cytotec based on the markings*

imprinted on them, size and color. Per pt, he then tried to convince her it was progesterone." The Assessment portion of the records diagnosed the patient with an early intrauterine pregnancy and "threatened abortion status post Cytotec." Patient #2 gave birth to the aforementioned child of Licensee's on May 30, 2016.

24. On October 26, 2017, the now ex-husband of Patient #2 filed a Supplemental Response to Motion for Summary Judgment before the Circuit Court in the aforementioned alienation of affection lawsuit. As part of the supplemental facts in support of the motion based on recent and ongoing discovery, the motion stated as follows:

[Name] Patient #2 did not break up with Dr. Wolfe until mid-October 2016 (SIC 2015), when she learned that he had given her a pill capable of causing a miscarriage of the child she and Dr. Wolfe had conceived.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

The above alienation of affection complaint was ultimately dismissed based on a settlement agreement, the terms of which remain confidential.

#### COUNT IV

Based upon the foregoing, Licensee is guilty of unprofessional conduct, which includes, but is not limited to, being guilty of any dishonorable or unethical conduct likely to harm the public by virtue of Licensee having sex with and impregnating a patient at a time when there was either a concurrent patient-physician relationship or by exploiting trust, knowledge, emotions or influence derived from a previous professional relationship (patient-physician and/or employer-employee) all in violation of Miss. Code Ann., §73-25-29(8)(d) and §73-25-83(a).

COUNT V

Based upon the foregoing, Licensee is guilty of unprofessional conduct, which includes, but is not limited to, being guilty of any dishonorable or unprofessional conduct likely to deceive, defraud, or harm the public by virtue of his physical assault of said patient with the unwanted insertion of misoprostol into said patient's vagina, likely for the purpose of inducing abortion, all in violation of Miss. Code Ann., §73-25-29(8)(d) and §73-25-83(a).

25. Licensee prescribed the following medications to Patient #2, to wit:

<u>ISSUE DATE</u>	<u>RX#</u>	<u>DRUG NAME</u>	<u>STRENGTH</u>	<u>QTY.</u>	<u>REFILLS</u>
10/04/2012	1679898	Oxycodone/Ace	5/500mg	30	0
12/16/2013	924927	Butalb/Ace/Caff	50/325/40mg	25	0
05/17/2014	950125	Hydrocodone/Ace	7.5/325mg	30	0
06/09/2014	954155	Butalb/Ace/Caff	50/325/40mg	30	0
04/10/2015	1016934	Virtussin AC	10/100mg	120ml	0
06/05/2016	1857812	Dextroamp ER	10mg	60	0
06/06/2016	N/A	Lexapro	10mg	30	5
06/06/2016	1845887	Alprazolam	0.5mg	30	0
06/08/2016	1179747	Ace/Codeine #3	300/30mg	30	0
06/13/2016	1848654	Ace/Codeine #3	300/30mg	30	0
06/22/2016	1182484	Alprazolam	0.5mg	90	1
06/25/2016	1853495	Ace/Codeine #3	300/30mg	60	0
07/26/2016	1182484	Alprazolam	0.5mg	90	1
07/27/2016	1077877	Dextroamp ER	20mg	60	0
08/29/2016	643959	Alprazolam	0.5mg	60	0



09/01/2016	645214	Dextroamp ER	20mg	30	0
09/05/2016	1882364	Tramadol Hcl	50mg	30	0
09/20/2016	1090300	Alprazolam	0.5mg	30	0
09/26/2016	1091481	Dextroamp ER	20mg	30	0
10/08/2016	656624	Dextroamp ER	20mg	60	0
10/09/2016	655271	Alprazolam	0.5mg	90	0
11/20/2016	1915705	Dextroamp ER	20mg	60	0
11/20/2016	1915702	Alprazolam	0.5mg	90	0
01/21/2017	1119220	Alprazolam	0.5mg	90	0
01/22/2017	825417	Dextroamp ER	20mg	60	0
02/21/2017	758410	Dextroamp ER	20mg	60	0
02/21/2017	1127180	Alprazolam	0.5mg	90	0
04/08/2017	841962	Dextroamp ER	20mg	60	0
04/08/2017	1138550	Alprazolam	0.5mg	90	0
05/06/2017	847426	Dextroamp ER	20mg	60	0
05/08/2017	1144459	Alprazolam	0.5mg	90	0
05/28/2017	1148804	Dextroamp ER	20mg	60	0
05/30/2017	723893	Alprazolam	0.5mg	90	0
06/28/2017	1155211	Alprazolam	0.5mg	90	0
06/28/2017	1155212	Dextroamp ER	20mg	60	0
07/14/2017	1158353	Ace/Codeine #3	300/30mg	30	0
07/22/2017	861899	Dextroamp ER	20mg	60	0
07/22/2017	861900	Alprazolam	0.5mg	90	0
08/28/2017	570976	Dextroamp ER	20mg	60	0

08/28/2017	570975	Alprazolam	0.5mg	90	0
10/02/2017	876382	Alprazolam	0.5mg	90	0
10/02/2017	876383	Dextroamp ER	20mg	60	0
10/30/2017	1209119	Hydrocodone/Ace	5/325mg	30	0
11/06/2017	1184652	Alprazolam	0.5mg	90	0
11/27/2017	1217688	Alprazolam	0.5mg	90	0
01/16/2018	1232699	Ace/Codeine #3	300/30mg	30	0
01/19/2018	1203531	Ace/Codeine #3	300/30mg	15	0
01/23/2018	1234665	Alprazolam	0.5mg	90	0
02/19/2018	512074	Alprazolam	0.5mg	21	1
02/23/2018	512074	Alprazolam	0.5mg	69	0
03/09/2018	832294	Dextroamp ER	20mg	60	0
03/12/2018	1248230	Alprazolam	0.5mg	21	0
03/20/2018	1250277	Alprazolam	0.5mg	60	1
04/07/2018	1250277	Alprazolam	0.5mg	30	0
05/04/2018	1262386	Alprazolam	0.5mg	90	0
05/07/2018	1263290	Ace/Codeine #3	300/30mg	10	0
05/11/2018	1263290	Ace/Codeine #3	300/30mg	10	1
05/13/2018	1265348	Ace/Codeine #3	300/30mg	10	0
06/05/2018	1273421	Alprazolam	0.5mg	90	0
06/29/2018	1281015	Ace/Codeine #3	300/30mg	20	0
07/06/2018	2285011	Dextroamp ER	20mg	60	0
07/13/2018	1285188	Clonazepam	0.5mg	30	0
08/03/2018	527171	Ace/Codeine #3	300/30mg	10	0

08/08/2018	1015855	Dextroamp ER	20mg	30	0
09/30/2018	1310363	Ace/Codeine #3	300/30mg	5	0
09/30/2018	363130	Ace/Codeine #3	300/30mg	20	0
10/27/2018	1319408	Alprazolam	0.5mg	60	0
12/22/2018	1338279	Alprazolam	0.5mg	60	0
01/15/2019	372500	Alprazolam	0.5mg	90	0
02/15/2019	1084453	Dextroamp ER	20mg	60	0
02/20/2019	375952	Alprazolam	0.5mg	90	0
◆03/18/2019	1096074	Dextroamp ER	20mg	60	0
◆04/16/2019	1107398	Dextroamp ER	20mg	60	0
◆04/22/2016	0381338	Alprazolam	0.5mg	30	0
◆05/16/2019	1118544	Dextroamp ER	20mg	60	0
06/14/2019	1128283	Dextroamp ER	20mg	60	0

\*gray shaded areas indicate that these prescriptions were not documented in the patient chart maintained/ produced by Licensee\*

◆indicates prescriptions issued/ filled after Affiant obtained patient records from Licensee◆

When questioned as to why he continued prescribing medications and continues to do so to Patient #2, Licensee stated that Patient #2 would call him and request medications, so he became a "telephone provider." Licensee further stated that Patient #2 had a previous diagnosis of ADHD from a pediatrician, and that Patient #2 was a "chronic Adderall taker." No records pertaining to an ADHD diagnosis were provided by Licensee to Affiant at the time the patient records were subpoenaed and obtained from Licensee.

#### COUNT VI

**Based upon the foregoing, Licensee is guilty of failing to maintain patient records for controlled substances prescribed, as required in Title 30, Part 2640, Rule 1.4 Maintenance of Records and Inventories of the Board's**

Administrative code, all in violation of Miss. Code Ann., §73-25-29(13).

#### COUNT VII

Based upon the foregoing, Licensee is guilty of administering, dispensing or prescribing narcotic drugs, or any other drugs having addiction-forming or addiction-sustaining liability other than in the course of legitimate professional practice, all in violation of Miss. Code Ann., §73-25-29(3).

#### PATIENT NO. 3

26. That on January 21, 2019, Affiant interviewed a former patient (Patient #3) who had previously filed a complaint alleging that Licensee made sexually inappropriate remarks to her during a physical examination. Patient #3 advised that she sought care from Licensee several years ago, for what she described as a cyst and vaginal burning and itching. She stated that she contacted the office of her OB/GYN only to learn that her OB/GYN was out of town. She advised that she was referred to the on-call OB/GYN, which happened to be Licensee. She further advised that she made an appointment and was treated by Licensee and that nothing unusual occurred on this visit. She was diagnosed by Licensee with a massive left posterior vulvar abscess and was told that she needed immediate surgery. The medical records obtained reflect that Patient #3 underwent an incision and drainage of a left upper thigh/ lateral vulvar abscess; excision of perineal psoriasis plaque; and excision of epidermal inclusion cyst, inner upper right thigh on March 14, 2011.

Patient #3 stated that on the following day, she was returning from the restroom and was wearing only a hospital gown and hospital-issued, disposable panties. She advised that after she pulled her panties down and used the restroom, she left the panties around her knees while hurriedly returning to the bed. She stated that she left

the panties around her knees because they were difficult to maneuver. She advised that she was pushing her IV pole and wanted to return to the bed before anyone came into the room and saw her. She further advised that before she could get to the bed and while she was still exposed, Licensee was making rounds and entered her room. According to the patient, Licensee noticed the panties around her knees and commented, *"Looks like you need some help,"* to which the patient replied, *"It's ok. I got it."* She said Licensee then stated, *"It's ok. I'm your doctor."* She said that Licensee then bent down and, while at eye level with her genital area, pulled her panties up. She stated that she thought this was "weird" because he should have called a nurse or an aide to assist her. She said that it made her uncomfortable because he was staring directly at her genital area. She advised that she returned to the bed where Licensee examined her incisions and discussed the procedure he had performed. She stated that they were alone in the room during the entirety of his visit.

27. The records reflect that Patient #3 saw Licensee on a few more occasions for yearly examinations. However, Patient #3 advised that she broke out in a rash/ hives, which also extended to her vaginal area, so she made an appointment with Licensee since he treated her previous condition. She stated that she presented to Licensee late in the afternoon on September 12, 2013, to be seen and treated for said rash/ hives. She advised that this examination *"felt different"* than other gynecological exams conducted by previous gynecologists in that Licensee spent more time than usual examining her during this particular exam. Further, she advised that after Licensee completed the exam, he commented, *"You look good down there."* She stated that a nurse/ chaperone, whose identity she does not know, was present in the room when Licensee made this statement.

Patient #3 said that Licensee told her to get dressed and to wait for him to return because he needed to talk with her. She stated that she did as instructed, and Licensee returned to the exam room approximately fifteen to twenty (15-20) minutes later while informing her that he had "cleared out" all of his patients for the day. She stated that Licensee told her that he thought she was beautiful and that he found her attractive. She said that he again made the comment, "You look good down there." Patient #3 stated that no one else was present in the room during this conversation and that she did not react to Licensee's comments. She advised that Licensee told her that physicians take their patients on out of town trips, such as to the Bahamas, so as not to be seen together locally. She further advised that he described a bar in Flowood, Mississippi, and stated, "You can buy me a drink." She stated that it was her belief that Licensee realized his comments made her uncomfortable and, as she stood to leave, Licensee said, "Let's just hug it out." Patient #3 described this hug as a full, frontal hug that lasted approximately thirty (30) seconds. She advised that Licensee escorted her out of the clinic and stated to an employee, "She's not paying" as Licensee walked her to her vehicle with his arm around her. Patient #3 stated that she ultimately felt uncomfortable with the entire situation, so she never returned to Licensee. She advised Affiant that she was not going to enter into nor encourage a social relationship with Licensee. She further advised that she was vulnerable during this time as she was going through a divorce and caring for a special-needs child, of which Licensee was aware.

#### COUNT VIII

**Based upon the foregoing, Licensee is guilty of unprofessional conduct, which includes, but is not limited to, being guilty of any dishonorable or unethical conduct likely to deceive, defraud, or harm the public by virtue of committing sexual impropriety (i.e. assisting the patient in**

getting dressed and by making inappropriate comments of a sexual nature to this patient), all in violation of Miss. Code Ann., §73-25-29(8)(d) and §73-25-83(a).

28. That Affiant consulted a physician in the field of Obstetrics and Gynecology and with a physician faculty member at PBI Education to review the complaints against Licensee as well as all associated documentation so that opinions could be rendered. Based on their reviews, both physicians deemed Licensee an immediate threat to the public.

*Leslie Ross*

Leslie Ross, Director of Investigations  
Mississippi State Board of Medical Licensure

SWORN TO AND SUBSCRIBED BEFORE ME, this the 10<sup>th</sup> day of July, 2019.

*Frances E. Carrillo*

Notary Public

