

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE

OF

EARNEST LEE RANKIN, M.D.

SURRENDER OF MEDICAL LICENSE

WHEREAS, EARNEST LEE RANKIN, M.D., hereinafter referred to as "Licensee," is the current holder of Medical License Certificate Number 07703, issued on August 9, 1976, to practice medicine in the State of Mississippi;

WHEREAS, Licensee has appeared as a Respondent to Summons for Licensure Hearing on two previous occasions for unprofessional conduct. In January, 1988, pursuant to an investigation by the Board of Licensee's prescribing and distribution of controlled substances and other addiction-forming drugs, Licensee entered into a Consent Agreement with the Board in resolution of the matter, whereby Licensee surrendered his U.S. Drug Enforcement Administration (DEA) Registration Certificate, and his medical license was suspended for a period of five years, with the suspension stayed, pending Licensee's compliance with certain terms and conditions set by the Agreement, after which Licensee had the right to petition the Board for reduction or removal of the restrictions on his license and for the ability to re-apply for a Registration Certificate with the DEA. On February 20, 1997, pursuant to Licensee's petition, the restrictions imposed by the Board in 1988 were removed and resulted in an unrestricted medical license. Licensee subsequently applied for and was issued a Registration Certificate by the DEA;

WHEREAS, Licensee appeared as a Respondent to Summons for Licensure Hearing pursuant to his Federal conviction and sentencing, following his entry of a guilty plea before the United States District Court, Southern District of Mississippi, at Jackson, Mississippi, for violation of Title 18 U.S.C. §371, Conspiracy to Violate the Anti-Kickback Statutes and Conspiracy to Steal Funds from Medicare. Licensee was sentenced to Probation for a period of five years and ordered to pay restitution. Represented by counsel before the Board, on November 15, 2012, Licensee acknowledged his signing of medical necessity and order forms authorizing delivery of motorized wheelchairs for Medicare beneficiaries who were not medically eligible, as previously investigated and alleged by the U.S Department of Health and Human Services, and of Licensee's acceptance of cash provided him by another co-conspirator, in return. In lieu of a Board Hearing, Licensee entered a Consent Order with the Board, thereby suspending his medical license for a term of five years, with the suspension stayed, pending his compliance with certain stipulated terms and conditions;

WHEREAS, on October 11, 2018, in response to an Administrative Inspection and Search Warrant obtained by the Board's Investigative Staff served at his practice clinic in reference to controlled prescription orders issued to thirty-three (33) patients, Licensee failed to produce five (5) patients' records in justification of multiple narcotic or benzodiazepine prescriptions issued in the patients' names, with such acts in violation of the Administrative Code of the Board. A review of the entries made within the twenty-seven (27) patients' records which were produced detected omissions and errors by Licensee in the treatment rendered, and in the documentation of his justification for

multiple therapies, such as, among other violations, the failure to initiate and record a plan or agreement with individual patients for Board-defined “de facto chronic pain” patients;

WHEREAS, the Investigative Staff of the Board has conducted a comprehensive investigation into the practice of Licensee, and has documented 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 (3), (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, Title 30 Part 2640, pertaining to the administering, prescribing and dispensing of controlled substances, 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 wishes to avoid an evidentiary hearing before the Board by voluntarily relinquishing his right to practice medicine in the State of Mississippi. Pursuant to Mississippi Code, Ann., §73-25-30, Licensee shall pay all such investigative costs as are allowed by law. 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 day of acceptance and approval of this surrender by the Board and notice to Licensee.

NOW, THEREFORE, Licensee hereby **voluntarily surrenders** his medical license (Number 07703) to practice medicine in the State of Mississippi. Licensee understands that this is an unconditional surrender, is reportable as disciplinary action to

the National Practitioner Data Bank and is a public record of the State of Mississippi. In the event Licensee later decides to practice medicine as a physician in the State of Mississippi, it will be necessary for him to submit a new application with the Board. At such time, the Board reserves the right to utilize all evidence, including all facts developed during the current investigation, and may require and compel the applicant to attend and successfully complete a professional skills evaluation and/or competency examination, as part of the consideration of any such application.

EXECUTED, this the 5 day of March, 2019.



Ernest Lee Rankin, M.D.

ACCEPTED AND APPROVED, this the 21st day of March, 2019,
by the Mississippi State Board of Medical Licensure.



**Claude D. Brunson, M.D.,
Board President**