

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
IN THE MATTER OF THE PHYSICIAN'S LICENSE
OF
ELAINE R. REINHARD, M.D.

CONSENT ORDER

WHEREAS, ELAINE R. REINHARD, M.D., hereinafter referred to as "Licensee," is the current holder of Mississippi Medical License No. 17415, said license number expires on June 30, 2020;

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 (3) 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 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, on February 8, 2018, Licensee presented before the President of the Board to discuss the aforementioned investigation. Pursuant to that appearance, the

Board resolved to have Licensee obtain CME to settle the matter, along with strong recommendations that Licensee return to group practice, such as hospital-based practice;

WHEREAS, on February 7, 2019, the investigation was closed based on the Licensee completing the required CME and providing documentation to the Board;

WHEREAS, on July 7, 2019, the Board received a subsequent complaint regarding Licensee's administering, prescribing and dispensing of controlled substances, with Licensee being visited by Board investigative staff on September 28 and 29, 2019, to review patient records.

WHEREAS, review of said patient records revealed similar concerns and violations of the Board's Administrative Code as those found previously during the investigation conducted in 2018;

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 her joinder herein, does hereby place Licensee's certificate to practice medicine in the state of Mississippi on **probation**, subject to the following terms and conditions:

1. Licensee shall take immediate steps to contact the medical director of the Mississippi Physician Health Program (MPHP) and disclose all facts which prompted Licensee's execution of this Consent Order, and shall make arrangements to submit to evaluation for potential mental, emotional or physical impairment at a facility approved in advance and in writing by MPHP and the Board. By executing this Consent Order, Licensee authorizes the Board and

MPHP to fully disclose and share with such facility any and all information regarding Licensee which the MPHP may, in its discretion, deem necessary to evaluate and/or advise Licensee. Upon conclusion of the evaluation, a report shall be sent to the MPHP, with a copy to the Board's Executive Director, setting forth the findings and recommendations. In the event it is the recommendation of the evaluating facility that Licensee needs treatment, Licensee shall comply with all of such recommendations, including obtaining advocacy from MPHP.

2. Licensee shall, within one (1) year of the acceptance and approval of this Order, have successfully joined a group, staff, or partnership such that she is no longer in solo-practice.
3. Licensee shall, within one (1) year 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, with 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.
4. Licensee is hereby prohibited from supervising or collaborating with Physician Assistants (PAs) and/or Advanced Practice Registered Nurses (APRNs).

5. Licensee shall obey all federal, state and local laws, and all rules and regulations governing the practice of medicine.
6. 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.

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.

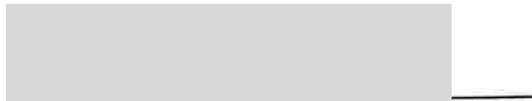
Further, it is not the intent or purpose of this Order to encourage malpractice liability as a result of Board action. Therefore, by execution of this Consent Order, Licensee is not admitting to or acknowledging any conduct or act of malpractice.

Provided Licensee completes all requirements as imposed above and is otherwise in full compliance with all terms and conditions contained herein, Licensee shall have the right, but not the obligation, to appear before the Board after the expiration of one (1) year from the effective date of this Order (being the date of acceptance by the Board), to request removal of any or all of the aforementioned restrictions. Licensee understands and agrees that until expiration of at least one (1) year, there shall be no reconsideration of the terms and conditions of this Order.

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 U.S. Drug Enforcement Administration, and the Board makes no representation as to action, if any, which any other agency or jurisdiction may take in response to this Order.

Recognizing her right to notice of charges specified against her, to have such charges adjudicated pursuant to Miss. Code Ann., § 73-25-27 (1972), to be represented therein by legal counsel of her choice, and to a final decision rendered upon written findings of fact and conclusions of law, **ELAINE R. REINHARD, M.D.**, nevertheless, hereby waives her right to notice and a formal adjudication of charges and authorizes the Board to enter an order accepting this Consent Order, thereby placing her medical license on probation, subject to those terms and conditions listed above.

EXECUTED AND EFFECTIVE, this the 29th, day of October, 2019.



ELAINE R. REINHARD, M.D.

ACCEPTED AND APPROVED, this the 14th, day of November, 2019, by the Mississippi State Board of Medical Licensure.



JEANNE ANN REA, M.D.
Board President