

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE

OF

TOBBY MARVIN TINSLEY, M.D.

ORDER OF PROHIBITION

WHEREAS, TOBBY MARVIN TINSLEY, M.D., hereinafter referred to as "Licensee," currently holds Mississippi Podiatric Medical License Number 22071, said number is valid until June 30, 2020;

WHEREAS, on September 24, 2019, the Mississippi State Board of Medical Licensure (Board) received a letter from the Mississippi Physician Health Program (MPHP) regarding Licensee. MPHP informed the Board that MPHP had withdrawn advocacy for Licensee, effective September 24, 2019;

WHEREAS, the Board is now in possession of evidence establishing that MPHP has withdrawn advocacy due to Licensee violating his recovery contract agreement (RCA), as evidenced in the supporting affidavit attached hereto;

WHEREAS, paragraph 23 of the RCA, states, in part:

In the event I {Licensee} should relapse or fail to comply with any of the conditions of this Agreement, the MSBML shall have the authority, with the recommendations from the MPHP/MPHC, to immediately prohibit me from practicing medicine until such time as the MSBML and MPHP determines that I am able to return to the practice medicine. In so doing, the MSBML and the MPHP may require me to undergo further evaluation.

WHEREAS, by virtue of violation of the aforementioned RCA, the Board has the authority to prohibit Licensee from practicing medicine until such time as the Board determines that Licensee may return to the practice of medicine;

NOW, THEREFORE, IT IS HEREBY ORDERED, that, as a result of the aforementioned letter, which is further detailed in the affidavit, Licensee shall be prohibited from the practice of medicine until such time as the Board determines that Licensee may return to the practice of medicine;

IT IS FURTHER ORDERED, that a copy of this Order shall be sent by registered mail or personally served upon TOBBY MARVIN TINSLEY, M.D., and shall be effective immediately upon receipt thereof.

ORDERED this the 26th day of September, 2019.

MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE



Kenneth E. Cleveland, M.D.
Executive Director

I, Bryson Pickens
personally served this
~~subpoena/summons on~~
Order of Prohibition
Tobby Tinsley, M.D.
This the 26 day of September 2019

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
IN THE MATTER OF THE PHYSICIAN'S LICENSE

OF

TOBBY MARVIN TINSLEY, M.D.

AFFIDAVIT

STATE OF MISSISSIPPI

COUNTY OF HINDS

I, Jonathan Dalton, Investigations Supervisor, Mississippi State Board of Medical Licensure (Board), do hereby make oath that I have reason to believe and do believe:

1. That TOBBY MARVIN TINSLEY, M.D., hereinafter referred to as "Licensee," currently holds Mississippi Medical License Number 22071, said number is valid until June 30, 2020.
2. That on April 24, 2017, Licensee entered into a Recovery Contract Agreement (RCA) with the Mississippi Physician Health Program (MPHP) as an anonymous participant. Licensee signed the contract after successfully being discharged from twelve (12) weeks of residential treatment for alcohol dependence at Metro Atlanta Recovery Residence located in Atlanta, Georgia. The RCA requires total abstinence from all alcohol or any other mood-altering substances. Further, Paragraph 3 requires licensee to present for random, unannounced, witnessed urine and/or blood screens, and to, ". . . cooperate fully in this process."
3. That on September 3, 2019, MPHP was notified that Licensee submitted a dilute urine specimen at a random toxicology screening. Licensee subsequently admitted to drinking alcohol, which was later confirmed via PEth blood testing. Licensee

then executed an Agreement to Not Practice on September 3, 2019, and then presented for a substance use evaluation at Bradford Behavioral Health (Bradford), located in Warrior, Alabama, on September 11, 2019.

4. That Bradford issued a recommendation that Licensee should not practice medicine until such time as he successfully completes residential treatment for a period of eight (8) to twelve (12) weeks.
5. That on September 24, 2019, MPHP Medical Director Scott Hambleton, M.D., spoke with Licensee and he refused to comply with the recommendations issued by Bradford. Thereafter, Dr. Hambleton submitted a letter, also dated September 24, 2019, advising the Board that MPHP was formally withdrawing advocacy for Licensee.
6. That Paragraph 19 of the RCA dated April 24, 2017, states, in part:

In the event I {Licensee} should relapse or fail to comply with any of the conditions of this Agreement, the MSBML shall have the authority, with recommendation from the MPHP/MPHC, to immediately prohibit me from practicing medicine until such time as the MSBML and the MPHP determines that I am able to return to the practice of medicine. In doing so, the MSBML and MPHP may require me to undergo further evaluation.

7. That the aforementioned letter withdrawing advocacy concludes the following, in part:

. . . Dr. Tinsley is not fit to practice medicine with reasonable skill and safety, at this time. I recommend that Dr. Tinsley be prohibited from practicing medicine until such time that he successfully completes treatment and regains MPHP advocacy.

8. By his signature on the RCA, Licensee understands and recognizes the Board's authority to immediately prohibit Licensee from the practice of medicine until such

time that the Board determines Licensee is fit to return to the practice of medicine.



Jonathan Dalton
Investigations Supervisor
Mississippi State Board of Medical Licensure

SWORN TO AND SUBSCRIBED BEFORE ME, this the 26th day of
September, 2019.

Francis E. Carrillo
Notary Public

