

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

OF

MARTIN THOMLEY, M.D.

ORDER GRANTING THE WAIVER OF REQUIREMENT FOR LICENSURE

THIS MATTER came on regularly for hearing on July 29, 2020, before the Mississippi State Board of Medical Licensure, in response to the petition of Martin Thomley (hereinafter "Applicant"), seeking waiver of Part 2601, Rule 1.3, which requires that "A physician...who is participating in, or who has participated in and impaired professionals' program as approved by the Board must document a two-year period of abstinence from any abusive use of mood-altering drugs, which shall include, but not be limited to, alcohol and all substances listed in Schedules I through V of the Uniform Controlled Substances Law, Mississippi Code, from the date of completion of the program before he or she is eligible for a permanent license to practice medicine...in Mississippi."

The Board received character evidence from Dr. Adam Quinn and Dr. Wright Latan, testifying that Dr. Thomley would be an asset to the underserved community in that there are limited retinal surgeons in the State. The Board also received testimony from Dr. Thomley that he has an unrestricted license in Alabama, that he is currently under a 5-year contract with the Alabama Physician Health Program, that he is in compliance with all aspects of his PHP contract, and if given a Mississippi unrestricted license, he will be monitored by the Mississippi Committee, a fact supported by the testimony of Dr. Scott Hamilton, the Medical Director of the MPHP, and that he has an offer of employment if he receives the unrestricted Mississippi license. The parties

stipulated that Dr. Thomley met the criteria for the waiver under the current set of circumstances. Therefore, the Board, after hearing said request, finds the same to be well-taken.

IT IS HEREBY ORDERED that the Applicant's request for waiver of the 2 year requirement of Rule 1.3 is granted in that he is appropriately credentialed in an area of demonstrated need within the state, that he holds an unrestricted license in Alabama, that he is currently in compliance with Alabama PHP without a relapse for over a year, that MPHP has agreed to take over monitoring and advocacy on his behalf and the Applicant agrees that he will be monitored by the Board as deemed appropriate.

SO ORDERED this, the 29th day of July 2020.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY:  _____
JEANNE ANN REA, M.D., PRESIDENT