

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
IN THE MATTER OF THE PHYSICIAN'S LICENSE
OF
TIMOTHY WHITTLE, M.D.
DETERMINATION AND ORDER

THIS MATTER came on regularly for hearing on June 3, 2020, before the Mississippi State Board of Medical Licensure (hereinafter "Board"), pursuant to Title 73, Chapter 25 of the Mississippi Code of 1972, Annotated. The Board initiated these proceedings on the 10th day of April, 2020 by issuance of a Summons and Affidavit against TIMOTHY WHITTLE, M.D. (hereinafter "Licensee"), setting forth violations of the Mississippi Medical Practice act in three (3) counts: Count I, Miss. Code Ann. Section 73-25-29(13), Count II, Miss. Code Ann. Sections 73-25-29(8)(d) and 73-25-83(a), and Count III, Miss. Code Ann. Section 73-25-83(c), based in part on Licensee practicing medicine in contravention of an agreement with the Board not to practice medicine in any manner or to treat friends, staff, or family members.

Licensee appeared and was represented by counsel, Rodney A. Ray. Complaint Counsel for the Board was Honorable Stan. T. Ingram. Sitting as legal advisor to the Board was Honorable Ken Walley, Special Assistant Attorney General. Board members present for the proceedings were Jeanne Ann Rea, M.D., President, David W. McClendon, M.D., Michelle Y. Owens, M.D., Charles D. Miles, M.D., Ken Lippincott, M.D., Kirk L. Kinard, D.O., Daniel Edney, M.D., and Thomas Joiner, M.D., H. Allen Gersh, M.D., was present via

videoconference. Consumer members present were Wesley Breland, Maj. General (Ret.) Erik Hearon and Koomarie "Shoba" Gaymes.

Having conducted a hearing in this matter, and based upon the exhibits, testimony and the evidence presented, the Board renders the following Findings of Fact, Conclusions of Law, and Order based upon clear and convincing evidence.

FINDINGS OF FACT

1. That due and legal notice of the hearing of this Board for the purpose of considering disciplinary action has been given in the matter, time and form as required by law and the Rules and Regulations of this Board; and that the Board has full and complete jurisdiction to hear the Summons and Affidavit as filed herein.
2. Licensee is a physician licensed to practice medicine in the State of Mississippi, currently holding License No. 11439. Said license is current until June 30, 2020.
3. Licensee appeared at the hearing and the parties agreed to stipulate as to Licensee's guilt to the counts contained in the Affidavit.

Based on the Findings of Fact noted above, Licensee is guilty of Counts I and II of the aforementioned Summons and Affidavit.

ORDER

IT IS THEREFORE ORDERED that based upon the Findings of Fact and Conclusions of Law enumerated above, Licensee's certificate to practice medicine in Mississippi is hereby suspended for a period of not less than one (1) year.

IT IS FURTHER ORDERED that, notwithstanding the one (1) year suspension as provided above, Licensee shall have the right but not the obligation to petition the Board for reinstatement of his medical license after expiration of six (6) months, provided Licensee has fully complied with all of the following requirements:

- (a) Licensee has submitted to the Board proof of compliance with all recommendations of Acumen Institute; and
- (b) Licensee has submitted to the Board proof of successful completion of Board-approved continuing medical education course in the area of professional boundaries; and
- (c) Licensee has submitted to the Board proof of successful completion of Board-approved continuing medical education course in the area of medical ethics; and
- (d) At Licensee's sole expense, he shall successfully completed a professional competency evaluation in obstetrics and gynecology by the Center for Personalized Education for Professionals (CPEP) before any consideration is given to reinstatement of his license. Upon completion of the evaluation, CPEP shall issue its report to the Board. Licensee shall comply with any and all training or other requirements deemed necessary in order to confirm that Licensee can practice with reasonable skill and safety to patients.

IT IS FURTHER ORDERED that Licensee may appear before the Board at a regular meeting to demonstrate compliance with the above requirements of this Order. If Licensee

demonstrates compliance with the requirements of this Order to the satisfaction of the Board, the Board will stay the last six (6) months of Licensee's suspension under this order.

IT IS FURTHER ORDERED that Licensee shall reimburse the Board for all costs incurred in relation to this matter pursuant to Miss. Code Ann. Section 73-25-30. Licensee shall be advised of the total assessment by separate notification and shall tender to the Board a certified check or money order on or before forty (40) days from the date the assessment is mailed to Licensee via U.S. mail at the address shown on file at the Board.

IT IS FURTHER ORDERED that pursuant to Miss. Code Ann. Section 73-25-27, a copy of this Determination and Order shall be sent by registered mail or personally served upon Licensee or his counsel.

SO ORDERED, this the 3rd day of June, 2020.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY:



JEANNE ANN REA, M.D., PRESIDENT