
BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE LICENSE OF:

ELAINE RUTH REINHARD, M.D.

DETERMINATION AND ORDER

The above-titled matter came before the Mississippi State Board of Medical Licensure (hereinafter "Board") in Jackson, Hinds County, Mississippi, on November 19, 2020, pursuant to a Summons and Affidavit duly issued to Elaine Ruth Reinhard, M.D. A quorum of Board members was present throughout the hearing and deliberation in the matter.

Board Counsel Stan Ingram, Esq., presented the charges as set forth in the Affidavit. Elaine Ruth Reinhard, M.D., having been served with the Summons was fully informed of her rights to a formal hearing before the Board. The matter was originally set for hearing on July 30, 2020, but was continued twice at the request of her attorney, F. Greg Malta, Esq. The matter was called on the docket, at which time it was announced that the Respondent, Elaine Ruth Reinhard, M.D., failed to appear or defend. Board Counsel was then directed to proceed.

Alexis Morris, Esq., Special Assistant Attorney General, who served as Administrative Hearing Officer, presided at the hearing and was directed to prepare the Board's written decision in accordance with its deliberations.

And now, upon consideration of all the material produced in the record before the Board, along with the testimony presented at the hearing, the Board makes the following Findings of Fact, Conclusions of Law and Order based on clear and convincing evidence:

FINDINGS OF FACT

1. The Board is established pursuant to the Mississippi State Board Medical Licensure Act, Title 73, Chapter 43 of the Mississippi Code of 1972 as amended, and is charged with the duty of licensing and regulating the practice of medicine in the State of Mississippi pursuant to Title 73, Chapter 25 of the Mississippi Code of 1972 as amended
2. Sections 73-25-29, 73-25-83 and 73-25-87 of the Mississippi Code Annotated (1972) as amended provide that the Board may revoke or suspend a license or take any other actions as deemed necessary if a license has violated any provisions therein.
3. That Elaine Ruth Reinhard, M.D., hereinafter referred to as "Licensee," was licensed to practice medicine in the State of Mississippi on October 15, 2001, by issuance of Mississippi Medical License Number 17415, said license is current through June 30, 2021.
4. During July 2019, Licensee came under investigation by the Board pertaining to questionable prescribing of controlled substances. To avoid a hearing, Licensee executed a Consent Order with the Board on October 29, 2019. In addition to continuing medical education, the Consent Order specifically provided as follows:

“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, shall make arrangements to submit to evaluation for potential mental, emotional or physical impairment at the facility approved in advance and in writing by MPHP at the Board.”
5. The Board approved the above noted Consent order on November 14, 2019.
6. During January 2020, the Board was advised that Licensee failed to contact the MPHP. As a result, the aforementioned Summons and Affidavit was served on Licensee. Through multiple forms of communication, including direct telephone communication as well as emails, Licensee’s attorney was advised of the situation who took steps to encouraged Licensee to make immediate contact with MPHP. While contact was made, Licensee failed to take further steps to submit to the required evaluation. The matter was continued on July 29, 2020 until September 17, 2020 and thereafter continued again from September 17, 2020 to this date.

7. Notwithstanding the fact that Licensee executed an Agreement Not to Practice Medicine pending her evaluation, Licensee's total failure to respond to any and all good faith efforts by the Board for her to seek help is concerning.

CONCLUSIONS OF LAW

1. The Board has jurisdiction in this matter pursuant to Sections 73-25-29, and 73-25-83(a), Mississippi Code of 1972, as amended. Venue is likewise properly placed before the Board to hear this matter in Hinds County, Mississippi.
2. These proceedings were duly and properly convened, and all substantive and procedural requirements under law have been satisfied. This matter is, therefore, properly before the Board.
3. The Board is authorized to license and regulate persons who apply for or hold medical licenses and prescribe conditions under which persons may practice in order to protect the public health, safety and welfare.
4. Based on the evidence and testimony presented, Licensee is guilty of **Count I** of the Affidavit, by virtue of her failure to take immediate steps to contact the medical director of the Mississippi Physician Health Program and submit to an evaluation, all as required by order of the Board, all in violation of Miss. Code Ann., §73-25-29(13).
5. Based on the evidence and testimony presented, Licensee is guilty of **Count II** of the Affidavit, that is, guilty of unprofessional conduct, which includes, but is not limited to being guilty of any dishonorable or unethical conduct likely to deceive, defraud, or harm the public, all in violation of Miss. Code Ann., §73-25-29(8)(d) and §73-25-83(a).

Based upon the above Findings of Fact and Conclusions of Law, the Board finds the following order to be appropriate under the circumstances.

ORDER

IT IS THEREFORE ORDERED THAT Mississippi Medical license No. 17415, issued to Elaine Ruth Reinhard, M.D., is hereby revoked.

IT IS FURTHER ORDERED that this Determination and Order shall be public record. It may be shared with other licensing Boards (in and out of state), and the public, and may be reported to the appropriate entities as required or authorized by state and/or federal law or guidelines. This action shall be spread upon the Minutes of the Board as its official act and deed.

SO ORDERED this, the 19th day of November 2020.

MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

BY: *William D. McClendon, M.D. FACP*
WILLIAM D. MCCLENDON, M.D., VICE PRESIDENT