
BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE APPLICATION FOR THE LICENSURE OF:

TIMOTHY D. JACKSON, M.D.

FINAL ORDER

The above-titled matter came before the Mississippi State Board of Medical Licensure in Jackson, Hinds County, Mississippi, on July 22, 2021, pursuant to a Notice to Show Cause issued to Timothy D. Jackson, 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 regarding the application for licensure. Timothy D. Jackson, M.D. (hereinafter “Applicant”), having been served with the Notice to Show Cause, and being fully informed of his rights to a formal hearing before the Board, was represented by William Whitfield, Esq. The case was called to hearing without objection from either party.

Alexis Morris, 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.
2. Sections 73-25-29 and 73-25-83 of the Miss. Code Ann. (1972) as amended provide that the board may deny an application for license if the applicant has violated any provisions therein.
3. Applicant has applied for a new license to practice medicine in the state of Mississippi. He previously held a Mississippi License but, in lieu of a hearing before the Board, permitted it to lapse for reason hereinafter shown.

4. Specifically, on February 5, 2014, Applicant was indicted in a five (5) Count Criminal Indictment before the U.S. District Court for the Southern District of Mississippi, styled *United States of America vs. Timothy Dale Jackson, in Criminal Case No. 1:14cr3-HSO-JCG-001*, charging him with four (4) counts of violation of Section 7201, Title 26, US Code, failure to report income to the Internal Revenue Service (*Tax Evasion*) and one (1) count of violation of Section 7212(a), Title 26, US Code, giving false statements (*Corrupt Interference with Administration of Internal Revenue Laws*).
5. After a jury trial, Applicant was found guilty as charged and on December 19, 2014 was sentenced by the U.S. District Court to 75 months incarceration; 36 months of supervised release upon release from incarceration; and restitution to the IRS in the total amount of \$806,982,90.
6. In lieu of formal charges by the Board, Applicant allowed his license (No. 14510) to lapse without renewal.
7. On January 17, 2020, Applicant was released from custody from the U.S. Bureau of Prisons and on June 22, 2020 filed his application for a new Mississippi medical license.
8. On June 21, 2021, the Board issued its Order to Show Cause charging Applicant as a basis for denial of licensure, (i) having been found guilty of a felony or misdemeanor involving moral turpitude in violation of 73-25-29(6) and (ii) guilty of unprofessional conduct, which includes, but is not limited to, any dishonorable or unethical conduct likely to deceive, defraud or harm the public in violation of 73-25-29(8)(d) and §73-25-83(a)
9. Applicant has not practiced medicine since 2014. In that regard, Title 30, Part 2601, Rule 1.3, *Duty to Obtain License*, of the Rules and Regulations of the Board Governing Licensure, provides in part:

Prior to the issuance of, or reinstatement of a license, any physician, physician assistant, radiologist assistant or acupuncturist who has not actively practiced for a three (3) year period shall be required to participate in a Board approved assessment program, clinical skills assessment program or re-entry program to assure post-licensure competency

In compliance with the above regulation, on or about August 31, 2020, Applicant submitted to a professional competency assessment by the Center for Personalized Education for Professionals (CPEP). The assessment report was entered as evidence. In summary, the report found Applicant competent to practice, but did make recommendations regarding supervision and proctoring in the event Applicant is re-licensed and authorized to re-enter the practice of medicine in the specialty of orthopedics.

10. In addition to the above, Title 30, Part 2605, Rule 1.1.E, *Licensure by Credentials*, of the Rule and Regulations of the Board Governing Licensure, provides in part:

An applicant who otherwise possesses all of the qualifications for licensure by credentials but has not taken a medical proficiency examination or licensure examination within ten (10) years prior to filing his or her application, must pass the SPEX...., unless the applicant:

1. Submits satisfactory proof of current certification by an ABMS and participating in Maintenance of Certification (MOC) or AOA approved specialty board and participating in Osteopathic Continuous Certification (OCC); or
2. Submits proof that the applicant's sole purpose for seeking licensure is to serve as the Dean, Chairman of the Department or Faculty of an ACGME or AOA approved training program. In such case, a license shall remain in effect so long as licensee is a member of the faculty of the ACGME or AOA approved training program

Applicant is not currently board certified and is not seeking licensure to serve on faculty at a training program. Therefore, it will be necessary that he successfully take the SPEX examination.

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 to protect the public health, safety, and welfare.
4. The Applicant bears the burden of establishing that he satisfies the requirements for licensure as a medical doctor.
5. According to Sections 73-25-29 and 73-25-83 (a), the Board may deny an application for a Mississippi license to practice medicine.

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 Applicant's petition for a new license to practice medicine in the state of Mississippi is hereby denied. However, Applicant may request reconsideration at such time as he successfully completes the SPEX examination and submits proof of the same to the Board.

IT IS FURTHER ORDERED that in the event Applicant successfully completes SPEX as provided above, issuance of a Mississippi medical license shall be subject to any and all re-entry requirements set forth in the CPEP Education Plan.

IT IS FURTHER ORDERED that this action and order of the Board 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 22nd day of July 2021.

MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

BY: 
William D. McClendon, Jr., M.D.
President