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**BEFORE THE MISSISSIPPI STATE  
BOARD OF MEDICAL LICENSURE**

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**IN THE MATTER OF THE APPLICATION  
FOR MEDICAL LICENSURE OF:  
JEFFREY LOVIN, M.D. (NO. LOVI-Z9LF28)**

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**ORDER DENYING ISSUANCE OF A LICENSE**

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The above-titled matter came before the Mississippi State Board of Medical Licensure (“Board”) in Jackson, Hinds County, Mississippi, on July 21, 2022, pursuant to the Petition of Jeffrey Lovin, M.D. (hereinafter “Applicant”) seeking issuance of a license to practice medicine in the State of Mississippi.

Complaint Counsel for the Board was Honorable Paul E. Barnes, Esq., who presented the charges as set forth in the Affidavit as filed herein. Licensee, having been served with the Summons and being fully informed of his rights to a formal hearing before the Board, was present and represented by Honorable Douglas G. Mercier, Esq. Leyser Q. Hayes, Special Assistant Attorney General, served as Administrative Hearing Officer, presided at the hearing, and was directed to prepare the Board’s written decision in accordance with their deliberations. This matter was called to hearing without objection by either party.

A quorum of Board members was present throughout the hearing and deliberation in the matter. Board members present for the proceedings were William D. McClendon, Jr., M.D, President; Michelle Y. Owens, M.D.; Ken Lippincott, M.D; Renia R. Dotson, M.D.; Roderick Givens, M.D.; Thomas E. Joiner, M.D.; Kirk L. Kinard, D.O.; and William E. Loper, III, M.D. Consumer members present were Koomarie “Shoba” Gaymes and Wesley Breland.

A composite exhibit was introduced by Complaint Counsel, without objection, as Exhibit “1” and included the following Bates numbered documents:

- 1.1 Order to Show Cause/Affidavit with exhibits (B - LO 000001-000010)
  - Exhibit A: Colorado Stipulation and Final Agency Order (000011-22)

- Exhibit B: 08/13/2021 - CPHP letter to CO Medical Board (000023-35)
- Exhibit C: California Accusation and Petition to Revoke Probation (000036-109)

- 1.2 08/30/2021 – Original MSBML Application (000110-118)
- 1.3 12/21/2021 – Withdrawal of Application (000119-122)
- 1.4 02/04/2022 – MSBML Application/Responses (000123-165)
- 1.5 07/08/2022 – MSBML denial letter (000166-170)
- 1.6 07/14/2016 – CO Stipulation and Final Agency Order (000171-182)
- 1.7 09/19/2016 – CPEP’s Assessment Report (under seal) (000183-208)<sup>1</sup>
- 1.8 11/07/2016 – CA Accusation (000209-227)  
11/12/2019 – CA Accusation and Petition to Revoke Probation (000228-240)
- 1.9 08/13/2021 – CPHP’s letter stating non-compliance with Monitoring Agreement (000241-247)
- 1.10 San Diego County Police Reports (under seal) (000248-266)
- 1.11 09/02/2021 – CA Medical Board Letter – License Revoked (B 000267)  
Order Denying Petition for Reconsideration (B – LO 000268)  
Orders Granting Stay (B – LO 000269-270)

Respondent introduced the following Exhibits without objection:

Respondent Exhibit 1: Jeffrey Douglas Lovin, M.D. Curriculum Vitae

Respondent Exhibit 2: July 20, 2022, correspondence from Delta Health System

Respondent Exhibit 3: July 13, 2022, correspondence from Dr. Alan A. Abrams

Respondent Exhibit 4: April 29, 2020, evaluation report by Dr. Alan A. Abrams

Respondent Exhibit 5: December 6, 2020, evaluation by Craig R. Lareau, J.D., Ph.D.

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

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<sup>1</sup> Exhibits 1.7 and 1.10 were introduced under seal. The documents were available to the Board Members throughout the proceedings and deliberation.

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 of 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. On about August 30, 2021, Applicant submitted or caused to be submitted his initial application (#LOVI-JZ16TD) for a license to practice medicine in the state of Mississippi. Applicant is a Diagnostic Radiologist by training, and, based on representations provided in his application was practicing in California through August 2019.
3. Applicant answered (“yes”) to the following questions on his initial licensure application:

*To your knowledge, have you ever been or are you now, the subject of an investigation or disciplinary proceeding by any licensing Board/Agency as of the date of this application?*

*Have you ever been arrested? (You should answer Yes and explain even if you believe the arrest was sealed, expunged, dropped or otherwise nullified)*
4. In his initial application, Applicant failed to answer questions fully and truthfully regarding licensure actions in other jurisdictions, failed to disclose certain malpractice actions, and failed to disclose certain arrests. Applicant subsequently withdrew this application, testifying that prior counsel for the Board told him since he made “mistakes withdraw the application and do over.”
5. On or about February 4, 2022, Applicant submitted or caused to be submitted a second application (#LOVI-GZFAG0) for a license to practice medicine in the state of Mississippi.
6. Applicant answered (“yes”) to the following questions on his second application:

*Has your certificate of qualification or license to practice medicine in any state been suspended, revoked, restricted, conditioned, or voluntarily surrendered under threat of suspension or revocation?*

*Have you ever been denied a certificate of qualification or license to practice medicine in any state or has your application for certificate of qualification or license to practice medicine been withdrawn under threat of denial?*

*Have you ever had a malpractice claim made or suit filed against you pertaining to any aspect of your medical practice, regardless of whether or not such a claim was dismissed, never pursued, settled, resulted in a favorable or adverse judgment, or is not pending?*

*Have you ever been arrested? (You should answer Yes and explain even if you believe the arrest was sealed, expunged, dropped or otherwise nullified)*

*Have you ever applied for or been denied a Mississippi medical license?*

7. Applicant stated yes to the question regarding investigation or disciplinary proceedings by a licensing authority on the first application. However, he answered “NO” on the application submitted February 4, 2022.
8. A background investigation revealed that Applicant has been the subject of several domestic violence-related restraining and protective orders since 2009 and has been arrested numerous times for violating those court orders. Applicant’s conduct appears to have continued until at least September 2021.
9. There were **several state licensure actions** presented to the Board. Applicant was previously licensed in numerous states. However, based upon the arrests and his failure to properly report the information to the states where he was licensed, those states took various adverse actions against his license and Applicant ultimately retired his license in Colorado.
10. On July 14, 2016, the Colorado Medical Board entered into a **Stipulation and Final Agency Order** (Colorado Order) with Applicant. The Colorado Order provides that although Applicant had been arrested numerous times, he failed to report this to the Colorado Board. The Colorado Order also questioned Applicant’s competency to practice medicine. The Colorado Order reflects he was released from his position at Sterling Regional Medical Center where he was practicing as a locum tenens Radiologist.
11. Additionally, Applicant underwent review by the Colorado Physician Health Program (CPHP). It was determined that Applicant has “a physical or mental illness or condition that rendered him unable to perform a medical service with reasonable skill and with safety to patients in the absence of treatment

monitoring.” The Colorado Order placed Applicant on probation for a period of five (5) years, setting forth certain terms and conditions for his continued practice in the state.

12. Among those restrictions were hourly practice restrictions, treatment monitoring, and requirements to produce documentation from the Center for Personalized Education for Professionals (CPEP)—a facility located in Colorado which performs professional competency evaluations, in order to make modifications to any conditions set forth in the Colorado Consent Order.
13. Applicant submitted a copy of the CPEP Assessment Report which stated in part, “[Applicant] demonstrated knowledge that was generally adequate with the exception of significant weaknesses noted in the area of breast imaging, including mammography and breast ultrasound ...[Applicant’s] communication skills were mixed . . .[Applicant], at the time of submitting his application did not submit any health information for review other than to confirm that he was being monitored by the CPHP for an undisclosed condition as per requirements in the Colorado Board’s Stipulation and Final Agency Order. Applicant’s cognitive function screen results were below expectations.
14. Applicant produced several documents from CPHP which, in aggregate, stated that he was found to be safe to practice from a monitoring and treatment standpoint. However, a letter signed by Ms. Paula Martinez, Program Director for CPHP, dated August 13, 2021, reflected that Applicant was not in compliance with the most recent monitoring agreement, and concluded by stating under those circumstances, “we cannot opine on [Applicant’s] safety to practice.” On August 25, 2021, the Colorado Board issued an Order of **Summary Suspension**, citing Applicant’s non-compliance with CPHP and therefore, non-compliance with the Colorado Order. On August 25, 2021, Applicant relinquished/retired his Colorado license.
15. On or about November 12, 2019, the Medical Board of California filed an action against Applicant styled **Accusation and Petition to Revoke Probation**. On November 18, 2020, the Medical Board of California issued an order revoking Applicant’s license to practice medicine in California. As reflected in the record of the proceedings, the California decision revoking Applicant’s license, is thoroughly discussed in a Proposed Decision dated September 21, 2020, that was written by Administrative Law Judge (ALJ) Debra D. Nye-Perkins. The Summary Section of the Proposed Decision noted two causes for discipline cited by the California Board: a) mental or physical impairment, and 2) unprofessional conduct due to Applicant failing to comply with the terms

of his probation. ALJ Perkins' Order related that the California Medical Board, due to differing expert opinions presented, failed to prove that Applicant was impaired due to mental illness and therefore unable to practice medicine safely. However, the ALJ found that the Board established Applicant had violated several terms of his California licensure probation.

16. In the Accusation and Petition to Revoke Probation, the California Board referenced that Applicant was served with a Cease Practice Order on May 28, 2019, prohibiting him from practicing medicine. However, despite the Cease Practice Order, Applicant continued to practice at F & M Radiology, a fact and location undisclosed to the California Board.
17. During the hearing Applicant submitted his vitae which reflected, among other information, his education, awards, articles, and military service which he extensively testified about. Applicant testified that while at one time he held numerous licenses, at the present time, he did not hold a current medical license in any jurisdiction. Applicant also submitted two letters relating to his medical evaluations for the Board's consideration.
18. When questioned about his Orders reflecting adverse licensure action in other States, Applicant expressed that he was remorseful and that when he was in violation of his Colorado Order it was due to "advice of his [prior] counsel."<sup>2</sup> When questioned regarding the lack of accurate information on his applications submitted, he testified that someone else assisted him and that questions were "inadvertently" answered incorrectly; that he did not intend to misrepresent anything.
19. Applicant further testified that in hindsight retiring his license in Colorado was a mistake and stated that he did not have sufficient money to fly back and forth from California (where he resides) to Colorado. Applicant expressed that if given a license in Mississippi he had been offered a position at Delta Health System, the Medical Center in Greenville, Mississippi as an exclusive provider of Radiological Services. He also expressed that he would be willing to do whatever the Board required in order for him to receive a Mississippi License.

### CONCLUSIONS OF LAW

1. The Board has jurisdiction in this matter pursuant to sections 73-25-29 and 73-25-83 (a) of the Mississippi Code. of 1972, as amended. Venue is likewise

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<sup>2</sup> Applicant's Mississippi counsel, Douglas Mercier, has not represented Applicant in connection with licensure proceedings in any other states.

properly placed before the Board to hear this matter in Hinds County, Mississippi.

2. The 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 a medical license and prescribe conditions under which persons may practice in order to protect the public health, safety and welfare.
4. Based on the clear and convincing evidence and testimony presented, Applicant is found guilty of **Count I** of the Affidavit, i.e., unprofessional conduct due to use of false, fraudulent or forged statement or document, or the use of any fraudulent, deceitful, dishonest or immoral practice in connection with any of the licensing requirements, all in violation of Miss. Code Ann. § 73-25-29(8)(f).
5. Based on the clear and convincing evidence and testimony presented, Applicant is found guilty of **Count II** of the Affidavit, i.e., is guilty of unprofessional conduct, including any dishonorable or unethical conduct likely to deceive, defraud or harm the public, all in violation of Miss. Code Ann. § 73-25-83(a).
6. Based on the clear and convincing evidence and testimony presented, Applicant is found guilty of **Count III** due to the revocation, suspension or other restriction imposed on his license, permit or certificate issued by a licensing authority of another state or jurisdiction, specifically the State of California, all in violation of Miss. Code Ann. § 73-25-29(9).
7. Based on the clear and convincing evidence and testimony presented, Applicant is found guilty of **Count IV** the surrender of a license or authorization to practice medicine in another state or jurisdiction, specifically the State of Colorado, while under investigation for acts or conduct similar to acts or conduct which would constitute grounds for disciplinary action in Mississippi, all in violation of Miss. Code Ann. § 73-25-29(10).
8. Based on the clear and convincing evidence and testimony presented, Applicant is found guilty of **Count V**, unprofessional conduct, including 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).

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

**ORDER**

**IT IS THEREFORE ORDERED THAT** Applicant's petition for medical licensure in the State of Mississippi is denied.

**IT IS FURTHER ORDERED** that this decision and opinion is a final order of the Board and is conclusive evidence of the matters described herein.

**IT IS FURTHER ORDERED** that the Determination and Order shall be public record. It may be shared with other licensing boards (in and out of state), 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 21st day of July, 2022.

**MISSISSIPPI STATE BOARD OF  
LICENSURE**

BY:   
**WILLIAM D. MCCLENDON, JR., M.D.,  
PRESIDENT**