BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE LICENSE OF:

ROBERT KENT OZON, M.D.

DETERMINATION AND ORDER

THIS MATTER came on specially for hearing on June 23-24, 2022, before the Mississippi State Board of Medical Licensure (hereinafter "Board"), pursuant to a Summons and Affidavit issued to Robert Kent Ozon, M.D. ("Licensee"). Licensee currently holds Mississippi License Number 17909, and said number is current through June 30, 2022. Licensee is also a pharmacist who holds MS Pharmacy Board License T-09640, which expired on December 31, 2021.

Licensee was present and represented by Honorable Jeffrey Moore and Honorable Andrew Coffman. Complaint Counsel for the Board was Honorable Paul Barnes. Also present was Complaint Co-Counsel Honorable Stan T. Ingram. Sitting as legal advisor and hearing officer to the Board was Honorable Alexis E. Morris, Special Assistant Attorney General. Board members present for the proceedings were David McClendon, M.D, President; Ken Lippincott, M.D.; Daniel Edney, M.D.; Charles D. Miles, M.D.; Thomas Joyner, M.D. and Allen Gersh, M.D. Accordingly, a quorum was present throughout the hearing and deliberation in the matter.

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 and Conclusions of Law, and Order based on clear and convincing evidence:

FINDINGS OF FACT & CONCLUSIONS OF LAW

1. The Board is established under 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 under 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 licensee has violated any provisions therein.

3. All parties have been properly noticed of the matter now pending.

4. The Board has jurisdiction in the 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.

5. 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.

6. 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.

7. In November 2013, the Board, with the consent of Licensee, signed a consent order and agreed to the following terms and conditions (Exhibit B-5):

    a. Licensee was restricted from collaborating with any mid-level provider, including, but not limited to: A.P.R.N.s, C.R.N.A.s, and P.A.s. The restriction would remain in full force and effect for a minimum of one year. Upon the expiration of the one-year period, Licensee was to have the right, but not the obligation, to petition the Board for removal of the restriction.
    b. Prior to petitioning the Board for removal of the restriction, Licensee was to complete a Category 1 AMA-approved course in the Prescribing of Controlled Substances and submit proof of successful completion to the Board.
    c. Licensee was also required to reimburse the Board for all costs incurred in relation to the pending matter pursuant to Miss. Code Ann. § 73-25-30.

8. Licensee appeared before the Board again in 2015 and 2019 to request relief from those restrictions; however, the Board stated on those occasions that Licensee "lacked the basic understanding and insight needed to properly collaborate with mid-level providers" and denied Licensee's requests. See Exhibit B-5.

9. In April 2021, a complaint was filed against Licensee concerning NexGen Healthcare of Gulfport's (NexGen) advertisements. It was discovered that Licensee was performing therapies using products not approved by the U.S. Food and Drug Administration ("FDA") and utilizing subjective patient testimonials in the advertisements.

10. Licensee's practice focused on Regenerative Medicine and the use of the product called BioMatrix 50. BioMatrix 50 was a stem cell product that contained full-term C-Section cord blood—which was obtained from a company named Comprehensive Biologics. BioMatrix 50 is no longer on the market.

11. The Board soon discovered that neither Comprehensive Biologics nor the BioMatrix product was on the FDA's Office of Tissues and Advanced Therapies list of Approved Products. Accordingly, those products were not FDA-approved for use in the ways prescribed by Licensee and NexGen.

12. On May 21, 2021, Licensee was interviewed by Board Investigator Harry Gunter and Board Attorney Stan Ingram. Licensee's attorney, Jeff Moore, was also present during the interview. On October 13, 2021, the Board charged Licensee with twenty (20) counts of alleged violations of Mississippi law and Board rules.

13. Title 30, Part 2635, Rule 13.3, entitled "Complementary and Alternative Therapies," states:

> The Board is aware that a growing number of licensees and patients are both implementing and seeking complementary and alternative medicine in their health care. Further, the Board recognizes that innovative practices that could benefit patients and improve care should be given reasonable and responsible degrees of latitude.
>
> In reviewing this subject, the Board is also aware of the fact that consumer fraud occurs across the country, and, unfortunately, not infrequently in the practice of medicine. If consumer protection means anything, it should protect people weakened by illness from the dangers attendant to unsound, invalidated, and/or otherwise unsubstantiated practices. Licensees should never agree to perform invalidated or unsound treatments or therapies.

The Board feels that licensees may incorporate alternative therapies if research results are promising, and only if the methods utilized are reasonably likely to benefit patients without undue risk. A full and frank discussion of the risks and benefits of all medical practices is expected and is in the patient's best interest.

Licensees should practice pursuant to informed and shared decision making when determining the utilization of complementary therapies. This style of process is conducive to openly weighing the risks and benefits of the therapies under consideration. While this process is ideal, the licensee is ultimately responsible for the decision-making process.

Where evidence is unavailable for a particular treatment in the form of clinical trials or case studies, licensees must only proceed with an appropriate rationale for the proposed treatment, and justification of its use, in relation to the patient's symptoms or condition. Novel, experimental, and unproven interventions should only be proposed when traditional or accepted proven treatment modalities have been exhausted. In such instances, there must still be a basis in theory or peer-acknowledged practice. The burden rests solely on the licensee in regard to the substantiation supporting the use of a particular therapy. Licensees should be prepared to support any claims made about benefits of treatments or devices with documented evidence, for example with studies published in peer-reviewed publications.

Licensees must refrain from charging excessive fees for treatments provided. Further, licensees should not recommend, provide, or charge for unnecessary medical services, nor should they make intentional misrepresentations to increase the level of payment they receive.

Count I & Count II

14. Licensee is charged with utilizing drugs which have not been approved by the FDA and not participating in any clinical trials or (study) (performing invalidated or unsound treatment), in violation of Title 30, Part 2635, Chapter 13, Rule 133 "Alternative Medicine Practices," and in violation of Miss. Code

Ann. § 73-25-29(13). Based on the evidence and testimony presented, the Board finds Licensee is not guilty of **Count I** of the Affidavit.

15. Licensee is charged with unprofessional conduct, which includes, but it not limited to being guilty of any dishonorable or unethical conduct likely to deceive, defraud, or harm the public, in violation of Miss. Code Ann. § 73-25-29(8)(d). Based on the evidence and testimony presented, the Board finds Licensee is not guilty of **Count II** of the Affidavit.

Count III & Count IV

16. Licensee is charged with utilizing false or misleading statements, subjective patient testimonials, treatment accolades, and misrepresenting his success as required in Title 30, Part 2635, Rule 13.3 Complementary and Alternative Therapies and Rule 12.3(1), (8), (9) of the Board's Administrative Code, all in violation of Miss. Code Ann., § 73-25-19(13).

17. Licensee is charged with unprofessional conduct, which includes, but it not limited to being guilty of any dishonorable or unethical conduct likely to deceive, defraud, or harm the public, in violation of Miss. Code Ann. § 73-25-29(8)(d).

18. At the hearing, Licensee testified that although he was not the owner of NexGen, he was solely responsible for the approval of all marketing content related to his practice of regenerative medicine at NexGen Gulfport, including not only website content, but also representations made in marketing videos by NexGen spokespersons, such as chiropractor Lawrence Bourgeois. The advertisements focused on "Regenerative Medicine," which includes Stem Cells, Exosomes, and Platelet (PRP) therapies.

19. In the signage, video, YouTube, television, and internet, Licensee advertised treatments for erectile disfunction, hair loss, weight loss, osteoarthritis, cartilage damage, knee pain, back pain, and "bone on bone" injuries, but provided no data to substantiate the representations of clinical efficacy. Moreover, Licensee should have known about the FDA's published guidelines on the products that he was using. Licensee's advertisements also contained entirely subjective consumer testimonials; however, no data was produced supporting the results reported by the patients. See Exhibits B-7, B-8, B-21 (Composite), & B-34.

20. The "Frequently Asked Questions" section found on NexGen's website contained several misleading statements regarding treatments and FDA

approval of the products Licensee and NexGen advertised and used. See Exhibit B-9[1].

21. Licensee testified that he has an eighty percent (80%) success rate using regenerative medicine; however, no data was ever produced to substantiate the reported success rates. Licensee admitted that no studies had been performed to substantiate the success rates using the products that he used on his patients, nor had he compiled any data to do so. Licensee also admitted that he could not distinguish between subjective improvement reported by his patients that was attributable to his regenerative medicine treatments, versus improvement attributable solely to the placebo effect.

22. Licensee further testified that no clinical trials took place to support the subjective testimonials used in the online advertisements, nor had he compiled any data to do so.

23. Based on the evidence and testimony presented, the Board finds Licensee guilty of **Count III** of the Affidavit, that is, guilty of utilizing false or misleading statements, treatment accolades, and misrepresenting his success rates and training, as well as subjective patient testimonials.

24. Based on the evidence and testimony presented, the Board finds Licensee guilty of **Count IV** of the Affidavit, that is, guilty of unprofessional misconduct, which includes, but is not limited to, being guilty of any dishonorable or unethical conduct likely to deceive, defraud, or harm the public by virtue of utilizing false or misleading statements.

Count V & Count VI

25. Licensee is charged with charging excessive fees for treatments not FDA approved and have no efficacy studies to support their use, in violation of Title 30, Part 2635, Chapter 13, Rule 13.3 "Complementary and Alternative Therapies" and Miss. Code Ann. § 73-25-29(13). Based on the evidence and testimony presented, the Board finds Licensee is not guilty of **Count V** of the Affidavit.

26. Licensee is charged with unprofessional conduct, which includes, but it not limited to being guilty of any dishonorable or unethical conduct likely to deceive, defraud, or harm the public by virtue of charging excessive fees, in violation of Miss. Code Ann. § 73-25-29(8)(d). Based on the evidence and

[1] At the hearing, Licensee testified that after his interview with Investigator Harry Gunter and Board Attorney Stan Ingram, the website and several advertisements were changed or removed.

testimony presented, the Board finds Licensee is not guilty of **Count VI** of the Affidavit.

Count VII & Count VIII

27. Licensee is charged with utilizing false or misleading statements, subjective patient testimonials, treatment accolades, and misrepresenting his success rates and training, as prescribed in Title 30, Part 2635, Chapter 13, Rule 13.3 Complementary and Alternative Therapies, all in violation of Miss. Code Ann., §73-25-29(13).

28. Licensee is charged with unprofessional misconduct, which includes, but it not limited to, being guilty of any dishonorable or unethical conduct likely to deceive, defraud, or harm the public by virtue of using misleading or false statements, all in violation of Miss. Code Ann., 73-25-29(8)(d).

29. During the hearing, Licensee testified that he had only been administering Regenerative Medicine Procedures for approximately two (2) years—even though the website stated that he had "devoted his career to the latest research and treatment that regenerative medicine has to offer." See Exhibit B-7.

30. Dr. Sean Morrison, Ph.D., testified as an expert during the hearing. Dr. Morrison completed his B.Sc.in biology and chemistry at Dalhousie University. He received a Ph.D. in immunology at Stanford University and completed a postdoctoral fellowship in neurobiology at Caltech. Dr. Morrison also received the Presidential Early Career Award for Scientists and Engineers for his work in stem-cell research. Dr. Morrison is an Investigator of the Howard Hughes Medical Institute and a Professor of Pediatrics at the University of Texas Southwestern Medical Center. He is also a member of the Food and Drug Administration (FDA) Cellular, Tissue, and Gene Therapies Advisory Committee. However, Dr. Morrison emphasized that he was testifying solely in his individual professional capacity, and was not testifying or commenting, on behalf of the FDA, or any of his other employers in this matter.

31. Dr. Morrison found that Licensee did not provide any compelling evidence that his patients would be expected to benefit from the regenerative medicine product he claimed to administer to them. Dr. Morrison further found that Licensee and NexGen made many misleading claims related to stem cells, exosomes, and regenerative medicine on their website and in their advertisements. See Exhibit B-37.

32. Dr. Morrison reviewed the two studies that Licensee submitted regarding the biological properties of certain products that he used and the use of umbilical cord-derived cells; however, Dr. Morrison found that the products used in those studies were different from the products that Licensee used—more specifically BioMatrix 50. See Exhibit B-37. Dr. Morrison testified that those studies focused on specific types of stem cells or other tissues, and that the results could not be extrapolated or generalized to support any claim of clinical efficacy for the regenerative therapies advertised and used by Licensee.

33. Despite misleading representations made by Dr. Ozon and NexGen Healthcare implying otherwise, none of the advertised products have been approved by the FDA for the treatment of any of the indications or conditions featured in the advertising.

34. Based on the evidence and testimony presented, the Board finds Licensee guilty of **Count VII** of the Affidavit, that is, guilty of utilizing false or misleading statements, subjective patient testimonials, treatment accolades, and misrepresenting his success rates and training.

35. Based on the evidence and testimony presented, the Board finds Licensee guilty of **Count VIII** of the Affidavit, that is, guilty of unprofessional misconduct, which includes, but it not limited to, being guilty of any dishonorable or unethical conduct likely to deceive, defraud, or harm the public by virtue of using misleading or false statements.

Count IX & Count X

36. Licensee is charged with advertising treatments for pain without first registering as a Pain Clinic, as required under Title 30, Part 2640, Chapter 1, Rule 1.2 Rules Pertaining to Prescribing, Administering and Dispensing of Medication, all in violation of Miss. Code Ann., § 73-25-29(13).

37. Licensee is charged with 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 by virtue of advertising his practice as a to provide pain management services, all in violation of Miss. Code Ann., § 73-25-29(8)(d).

38. Licensee testified that NexGen was never registered as a pain management clinic; however, Licensee admitted that some of NexGen's advertisements included statements regarding pain care. Title 30, Part 2640, Rule 1.2 defines

the definition of a Pain Practice and includes "any practice that advertises and/or holds itself out to provide pain management services."

39. Based on the evidence and testimony presented, the Board finds Licensee guilty of **Count IX** of the Affidavit, that is, guilty of advertising treatments for pain without first registering as a Pain Clinic.

40. Based on the evidence and testimony presented, the Board finds Licensee guilty of **Count X** 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 by virtue of advertising his practice to provide pain management services.

Count XI & Count XII

41. Licensee is charged with failing to maintain complete records, as required under Title 30, Part 2635, Chapter 13, Rule 13.7 Complementary and Alternative Therapies, all in violation of Miss. Code Ann., § 73-25-29(13).

42. Licensee is charged with 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 by virtue of his failure to maintain complete medical records, all in violation of Miss. Code Ann., § 73-25-29(8)(d).

43. Licensee was instructed to provide twelve (12) medical records to the Board for review. However, Licensee testified that he could only produce ten (10) of twelve (12) Patients records. See Exhibits B-24 -B-33.

44. Licensee testified that one of medical records did not exist, because the patient was a colleague, and he performed the service for the colleague as a professional courtesy. Licensee testified that he was unaware that he was to create a chart for the colleague. Finally, Licensee testified that one of the other patient records could simply not be found.

45. Based on the evidence and testimony presented, the Board finds Licensee guilty of **Count XI** of the Affidavit, that is, guilty of failing to maintain complete records.

46. Based on the evidence and testimony presented, the Board finds Licensee guilty of **Count XII** 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 by virtue of his failure to maintain complete medical records.

Count XIII & Count XIV

47. Licensee is charged with failing to maintain complete medical records (diagnostic tests, including X-rays), as required under Title 30, Part 2635, Chapter 13, Rule 13.7 Complementary and Alternative Therapies, all in violation of Miss. Code Ann., § 73-25-29(13).

48. Licensee is charged with 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 by virtue of his failure to provide patients copies of their X-rays, all in violation of Miss. Code Ann., § 73-25-29(8)(d).

49. Out of the ten (10) patient charts obtained from Licensee's none contained the results of x-rays, CTs, MRIs or similar diagnostic tools. Licensee also testified that he did not provide copies of the "complimentary" x-rays to his patients; however, patients could purchase for $50.00 per x-ray.

50. At the hearing, License testified that he used the x-rays to determine if a patient was eligible for regenerative care and treatment; however, Licensee did not include the x-rays in the patient records that the Board requested to review.

51. Based on the evidence and testimony presented, the Board finds Licensee guilty of **Count XIII** of the Affidavit, that is, guilty of failing to maintain complete medical records (diagnostic tests, including X-rays).

52. Based on the evidence and testimony presented, the Board finds Licensee guilty of **Count XIV** 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 by virtue of his failure to provide patients copies of their x-rays and maintain complete medical records.

Count XV & Count XVI

53. Licensee is charged with failing to maintain complete records or prior treatments and available options, as required under Title 30, Part 2635, Chapter 13, Rule 13.5 Complementary and Alternative Therapies, all in violation of Miss. Code Ann., § 73-25-29(13).

54. Licensee is charged with 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 by virtue of his failure to review patients' prior treatments, all in violation of Miss. Code Ann., § 73-25-29(8)(d).

55. Licensee testified that he did not review or require that patients provide documentation regarding previous medical treatment, lab work, or any other medical records from his patients. Licensee stated that he only reviewed previous health information if patients provided it. The Board found that without Licensee's access to the medical records of prior treatments, he could not adequately evaluate or treat patients, or develop an adequate treatment plan.

56. Based on the evidence and testimony presented, the Board finds Licensee guilty of **Count XV** of the Affidavit, that is, guilty of failing to maintain complete records or prior treatments and available options.

57. Based on the evidence and testimony presented, the Board finds Licensee guilty of **Count XVI** 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 by virtue of his failure to review patients' prior treatments.

Count XVII and Count XVIII

58. Licensee is charged with failing to include all information necessary for an informed consent, in violation of Title 30, Part 2635, Chapter 13, Rule 13.4 "Complementary and Alternative Therapies," in violation of Miss. Code Ann. § 73-25-29(13).

59. Licensee is charged with 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 by virtue of his failure to review patients' prior treatments, all in violation of Miss. Code Ann., § 73-25-29(8)(d).

60. The Board reviewed Licensee's consent form and found that it was adequate and included all the necessary information for an informed consent. See Exhibit B-35. Based on the evidence and testimony presented, the Board finds Licensee not guilty of **Count XVII** of the Affidavit.

61. Based on the evidence and testimony presented, the Board finds Licensee not guilty of **Count XVIII** of the Affidavit, that is, not guilty of any dishonorable or

unethical conduct likely to deceive, defraud, or harm the public by virtue of his form for informed consent.

Count XIX & Count XX

62. Licensee is charged with failing to meet the basic standard of care when treating patients with complementary or alternative therapies, as required under Title 30, Part 2635, Chapter 13, Rule 13.3 Complementary and Alternative Therapies, all in violation of Miss. Code Ann., § 73-25-29(13).

63. Licensee is charged with 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 by virtue of his failure to meet the minimum basic standard of care, all in violation of Miss. Code Ann., § 73-25-29(8)(d).

64. Licensee's use of non-FDA approved therapies, with no evidence that the therapies were successful, coupled with inadequate medical records and charts, demonstrated Licensee's failure to meet the basic standard of care.

65. Dr. Morrison testified that no stem cell products have ever been approved by the FDA except for treatment of specific hematopoietic conditions (blood disorders) or indications. Dr. Morrison testified that no exosome products have ever been approved by the FDA for treatment of any indication or condition. Furthermore, Dr. Morrison found that none of the products advertised by Dr. Ozon, or NexGen Healthcare have been approved by the FDA for the treatment of any of the indications featured in their advertising.

66. Additionally, Dr. Morrison concluded that the claims made by Dr. Ozon and NexGen Healthcare regarding their use of exosomes and stem cells were not supported by compelling scientific evidence of clinical efficacy justifying such use.

67. Licensee testified that he had not conducted or participated in any clinical or scientific studies to evaluate the reliability, safety, or efficacy of the reversative medicines is used and offered. Dr. Morrison reviewed the medical records of Licensee's patients provided by the Board. Dr. Morrison stated that the medical records indicated that patients were injected with products that contained exosomes; however, there was no medical condition for which treatment with those exosomes had been proved to be effective in controlled clinical trials.

68. Licensee did not offer any expert medical testimony to rebut Dr. Morrison's opinions and testimony.

69. Based on the evidence and testimony presented, the Board finds Licensee guilty of **Count XIX** of the Affidavit, that is, guilty of failing to meet the basic standard of care when treating patients with complementary or alternative therapies.

70. Based on the evidence and testimony presented, the Board finds Licensee guilty of **Count XX** 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 by virtue of his failure to meet the minimum basic standard of care.

71. Moreover, the Board ultimately finds that Licensee's failure to participate in any clinical studies or trials, lack of efficient and complete medical records, untruthful and deceitful advertisements led to Licensee's deviation from the standard of care owed to his patients with the use of regenerative medicine and alternative therapies.

ORDER

NOW THEREFORE, IT IS ORDERED that Medical Licensure No. 17909 issued to Robert Kent Ozon, M.D. is hereby suspended indefinitely, with the possibility of a stay of suspension pending completion of CMEs by Licensee in boundaries, recordkeeping, and Ethics. Licensee must also undergo a multidisciplinary psychiatric evaluation at an evaluation facility chosen by Licensee from a list of Board-approved facilities. Licensee has the right, but not the obligation to reappear before the Board to petition for stay of suspension after successful completion of the CMEs and psychiatric evaluation.

IT IS FURTHER ORDERED that in the event Licensee is subsequently authorized to return to practice, he shall be restricted from practicing Regenerative Medicine.

IT IS FURTHER ORDERED that Licensee shall reimburse Board for all costs incurred in relation to the pending matter pursuant to Miss. Code Ann. § 73-25-20. Licensee shall be advised of the total assessment, not to exceed $10,000, by written notification, and shall tender to the Board a certified check or money order within forty (40) days after the date the assessment is mailed to Licensee via US mail to Licensee's current mailing address.

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.

IT IS FURTHER ORDERED that pursuant to Section 73-25-27, a copy of this Order shall be sent by registered mail or personally served upon Robert Kent Ozon, M.D.

SO ORDERED, this the 24th day of June 2022.

MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

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

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE LICENSE OF:

ROBERT KENT OZON, M.D.

ORDER OF CONTINUANCE

THIS MATTER came on regularly for consideration by the Mississippi State Board of Medical Licensure in response to a request for continuance of the hearing set for January 20, 2022, made by Robert Kent Ozon, M.D. (hereinafter "Licensee"). The Board notes that this is Dr. Ozon's second request for a continuance, as he initially requested a continuance of the hearing set for November 18, 2021. After consideration of the matter, the Board finds Licensee's request to be well taken.

IT IS, THEREFORE, ORDERED, that this matter is continued until March 24, 2022, at 9:00 a.m.

SO ORDERED this the 20th day of January 2022.

MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

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

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE LICENSE OF:

ROBERT KENT OZON, M.D.

ORDER OF CONTINUANCE

THIS MATTER came on regularly for consideration by the Mississippi State Board of Medical Licensure, in response to a request for continuance of the hearing set for May 20, 2021, made by Robert Kent Ozon, M.D. (hereinafter "Licensee"). After consideration of the matter, the Board finds Licensee's request to be well taken.

IT IS, THEREFORE, ORDERED, that this matter is continued until January 20, 2021, at 9:00 a.m.

SO ORDERED this the 18th day of November 2021.

MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

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

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF PHYSICIAN'S LICENSE

OF

ROBERT KENT OZON, M.D.

SUMMONS

TO: ROBERT KENT OZON, M.D.
9344 Three Rivers Road
Gulfport, MS 39503

LICENSE NUMBER 17909

YOU ARE HEREBY SUMMONED to appear before the Mississippi State Board of Medical Licensure in its Executive Conference Room, 1867 Crane Ridge Drive, Suite 200-B, Jackson, Hinds County, Mississippi, on Thursday, November 18, 2021, at 10:00 A.M., to answer the charges filed against you in the matter now pending before this Board. The Mississippi State Board of Medical Licensure, charged by law with the licensing of medical doctors in this state, under Title 73, Chapter 25, Mississippi Code (1972) Annotated, charges that you, a physician duly licensed under the authority of the Mississippi State Board of Medical Licensure and the laws of the State of Mississippi, are guilty of utilizing drugs which have not been approved by the FDA and not participating in any clinical trial or (study) (performing invalidated or unsound treatment); utilizing false or misleading statements, subjective patient testimonials, treatment accolades, and misrepresenting his success rates and training; charging excessive fees for treatments not FDA-approved and which have no efficacy studies to support their use; utilizing false or misleading statements, subjective patient testimonials, treatment accolades, and misrepresenting his success rates and training; advertising treatments for pain without first registering as a pain management medical practice; failing to maintain complete records; failing to

maintain complete records (diagnostic test, including X-rays); failing to maintain complete records of prior treatments and available options; failing to include all information necessary for an informed consent; failing to meet the basic standard of care when treating patients with complementary or alternative therapies; are guilty of violating provisions of the Medical Practice Act and the rules and regulations of the Board; and are 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.

Pursuant to Subsections (8)(c),(d) and (13) of § 73-25-29 and § 73-25-83(a), Miss. Code Ann., (1972), as amended, such action constitutes grounds for which the Mississippi State Board of Medical Licensure may place your license on probation, the terms of which may be set by the Board, suspend your right to practice for a time deemed proper by the Board, revoke your Mississippi medical license or take any other action in relation to your license as the Board may deem proper under the circumstances.

The Mississippi State Board of Medical Licensure advises that you have the right to be present at the hearing, to be represented by counsel, to produce witnesses or evidence on your behalf, to cross-examine witnesses and to have subpoenas issued on your behalf by this Board.

You are further advised that pursuant to the Board's Rules of Procedure, you must file an answer or response to this Summons and supporting Affidavit within fifteen (15) days of the date you receive the same or all matters asserted therein shall be deemed admitted. A full text of the Board's Rules of Procedure can be found at the Board's website www.msbml.ms.gov or can be obtained from the Board's office.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 13th day of October, 2021.

Kenneth Cleveland, M.D.
Executive Director
Mississippi State Board of Medical Licensure

Complaint Counsel for the Mississippi State Board of Medical Licensure:

Paul E. Barnes
Board Attorney
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BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE

OF

ROBERT KENT OZON, M.D.

AFFIDAVIT

STATE OF MISSISSIPPI

COUNTY OF HINDS

I, Harry A. Gunter, Investigator, Mississippi State Board of Medical Licensure, hereinafter referred to as the "Board," do hereby make oath that I have reason to believe and do believe:

1. That Robert Kent Ozon, M.D., hereinafter referred to as "Licensee," was licensed to practice medicine in the State of Mississippi on December 12, 2002, by issuance of Mississippi Medical License Number 17909, said license current through June 30, 2022. Licensee is also a pharmacist who holds MS Pharmacy Board License T-09640, which expires on December 31, 2021.

Licensure History

2. That on November 13, 2013, and after an in-depth investigation into Licensee's medical practice, which included his collaborative relationships with multiple mid-level providers, particularly a CRNA being allowed to perform unsupervised procedures (Cervical Injections) he/she was not qualified to do so, Licensee entered into a formal Consent Order with the Board, placing certain restrictions on his license, "Prohibiting Licensee from collaborating/supervising mid-level providers." Despite appearances before the Board in 2015 and 2019 requesting relief from those restrictions, the Board noted

Licensee's lack of insight and denied the requests. Specifically stating on each occasion that the Licensee "still lacks the basic understanding and insight needed to properly collaborate with mid-level providers," the Board denied Licensee's requests.

NexGen Regenerative Medicine Business

3. That, on April 30, 2021, a new complaint was filed against Licensee, based on information Affiant received, concerning the advertising of a practice identified as NexGen Healthcare of Gulfport. The advertising mainly focused on the use of "Regenerative Medicine," which includes Stem Cells and Platelet Rich Plasma (PRP) therapies. Licensee was featured on many of the business' advertisements and videos – advertisements which continue to present. The advertising indicated Licensee was performing non-approved U.S. Food and Drug Administration (FDA) therapies, utilizing patient testimonials, many of which were by elderly patients.

4. That a search of business filings with Mississippi's Secretary of State reveals that NexGen HealthCare LLC is a business located at 9344 Three Rivers Road, Gulfport, MS 39503. The registered Agent, Officers & Directors are all listed as Gregory K. Piccou, a Mississippi Licensed Chiropractor.

5. That on May 21, 2021, Affiant and Stan Ingram, Board Counsel, interviewed Licensee at NexGen Healthcare in Gulfport, MS. During this interview, Licensee admitted to being employed by Gregory Piccou, D.C. Licensee also admitted that the business was owned by Gregory Piccou, D.C., and that Licensee did not have any ownership rights.

The Food and Drug Administration - Regenerative Therapy and Stem Cells

6. That regenerative medicine products, which have not been approved for use by the FDA, are considered investigational products and must go through an FDA review process where investigators are tasked with determining the safety and effectiveness of products in well-controlled human studies, known as clinical trials.

7. That, over the last several years, numerous entities have issued warnings and alerts regarding the potential fraudulent use of Regenerative Medicine. For instance, the FDA has issued several warning letters to regenerative medicine product manufacturers and clinics that offer regenerative medicine products directly to consumers regarding their marketing of "non-FDA" approved products derived from amniotic, umbilical cord blood and umbilical tissue.

For example, Dr. Stephen Hahn, former Commissioner of the FDA, and Dr. Peter Marks, the Director of the FDA's Center for Biologics Evaluation and Research, published a viewport article entitled "Identifying the Risks of Unproven Regenerative Medicine Therapies" stating, in part, "[i]t is time for unproven and unapproved regenerative medicine products to be identified and recognized for what they frequently are: uncontrolled experimental procedures at a cost to patient, both financially and physically."

Practice Outside the Scope of Legitimate Professional Practice – Stem Cells

8. That, during his interview, Licensee claimed the stem cell products utilized by NexGen come from voluntarily donated full-term C-Section cord blood, which are obtained from an FDA registered lab called *Comprehensive Biologics* located in a Gulf Breeze, Florida strip mall. The product Dr. Ozon used is called BioMatrix 50, and when questioned, he

did not know if the cells were alive or dead, although he “thought” they had activity when thawed. According to the company’s website, Comprehensive Biologics is owned and operated by Chiropractor Roy “Buzz” Korth.

9. That a review of the FDA’s Office of Tissues and Advanced Therapies list of Approved Products does not include Comprehensive Biologics or BioMatrix-50 products.

10. That the regenerative medicine products utilized and offered by Licensee do not fall under any exceptions from the FDA’s regulation of human cells, tissues, and cellular and tissue-based products (HCT/P’s).

11. That the regenerative medicine products utilized and offered by Licensee are regulated by the FDA as a *“drug”* and *“biologic product,”* as the products do not meet each of the criteria necessary to be regulated solely as an HCT/P.

12. That the regenerative medicine products utilized and offered by Licensee require pre-market approval from the FDA and an investigational new drug application (“IND”) for clinical use in humans. The regenerative medicine products offered by Licensee have not been approved by the FDA for marketing and distribution, nor are they the subject of an IND that has been submitted to the FDA.

13. That Licensee, by his own admission, has not conducted or participated in a clinical or scientific study to evaluate the reliability, safety, or efficacy of the regenerative medicine products utilized and offered.

14. That there is no competent and reliable scientific evidence establishing that Licensees’ regenerative medicine products cure, treat, or mitigate any diseases or health conditions and/or that their regenerative medicine products (Stem Cells / Biomatrix 50) are superior

or comparable to conventional medical treatment used to cure, treat, or mitigate the diseases and health conditions Licensee purports said treatments alleviate.

COUNT I

Based upon the foregoing, Licensee is in violation of Title 30, Part 2635, Chapter 13, Rule 13.3 "*Alternative Medicine Practices,"* by utilizing drugs which have not been approved by the FDA and not participating in any clinical trial or (study) (performing invalidated or unsound treatment), all in violation of Miss. Code Ann., § 73-25-29(3).

COUNT II

Based upon the foregoing, Licensee 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).

Advertising Violations

15. That, during the aforementioned interview, Licensee claimed sole responsibility for the approval of all marketing content related to the regenerative medicine products offered by NexGen Gulfport. Likewise, Licensee approved the use of the regenerative medicine products offered by NexGen (Gulfport), despite the fact that he knew, or should have known, about the FDA's published guidelines concerning regulation of the types of regenerative medicine products offered, and that those products had not been approved by the FDA for clinical use.

Specifically, through signage, video, television or internet, Licensee has advertised treatments for erectile disfunction, hair loss, weight loss, Osteoarthritis, cartilage damage, ligament injuries, knee pain, shoulder pain, elbow pain, neck pain, wrist and hand pain, chronic low back pain, back pain, hip pain, joint pain, pain, arthritis, degenerative disc disease, sciatica, ankle and foot pain, tissue injuries, bone on bone, bone injuries, tendonitis, tennis elbow, Neuropathy, and auto injury treatment.

16. That on or about May 20, 2021, the day before Licensee was interviewed, the NexGen website and Facebook page were both sanitized of most of the content.

Prior to the media being sanitized, Licensee attempted to substantiate the claims he made about the regenerative medicine products through the use of consumer testimonials, a practice which is specifically addressed in Chapter 13 of the Board's Administrative Code. Specifically, Rule 13.9 states: [t]reatment options described and accompanied by supporting information in the form of . . . patient testimonials . . . which serve to exaggerate, inflate, or misrepresent information derived from legitimate or questionable sources, shall be deemed a violation of the Board's advertising regulations[1] and unprofessional conduct likely to deceive, defraud, or harm the public.

Licensee's media marketing contained multiple videos of "patients" who offer a subjective and anecdotal narrative to promote their unapproved and unsubstantiated therapies. These consumer testimonials are memorialized on the online video platform YouTube. The following are only two examples of approximately twelve (12) known instances of such patient testimonials:

[1] In this instance, the advertising regulations violated are Title 30, Part 2635, Chapter 12, Rule 12.3(1), (8), (9) and (12).

https://www.youtube.com/watch?v=mMkbtlbcy-w (Joint Pain Multiple Patients)

https://www.youtube.com/watch?v=qQI313zZ1ks (Knee Problems 2 Patients)

17 That, additionally, and on several occasions, the advertising, which Licensee claims to have approval authority over, boasted an eighty percent (80%) success rate using regenerative medicine. In one video Dr. Bourgeois, III, D.C., claims a **ninety-eight** (**98%)** success rate for Neurotherapy patients [emphasis added]. Despite having approval authority for the advertising, Licensee could not produce any data supporting these results and claimed it was solely based on anecdotal patient testimonials in that they "felt better." See link below.

https://www.youtube.com/watch?v=EYDt5LRlCyA (Neuropathy)

COUNT III

Based upon the foregoing, Licensee is in violation of Title 30, Part 2635, Chapter 13, Rule 13.3 "*Complementary and Alternative Therapies,"* as well as Title 30, Part 2635, Chapter 12, Rule 12.3(1), (8), (9) and (12), by utilizing false or misleading statements, subjective patient testimonials, treatment accolades, and misrepresenting his success rates and training, all in violation of Miss. Code Ann., § 73-25-29(13).

COUNT IV

Based upon the foregoing, Licensee 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)(c)(d).

18. That Licensee also claimed to have a "say" in how much money is charged per treatment. For instance, Licensee claims the fees range from $1500.00 for one round of injections

per injection site, to $2,000.00 for two rounds, and $2,500.00 for three rounds. The fees also include chiropractic care and Shockwave, ultrasound and Biogenics treatments. Financial documents in some of the patient charts indicate patients paid amounts as high as approximately $7,000.00 cash for treatments.

Licensee admitted that insurance may only cover the advertised $47.00 evaluation, but it will not pay for any of the regenerative medicine therapies, resulting in primarily a cash-only business.

COUNT V

Based upon the foregoing, Licensee is in violation of Title 30, Part 2635, Chapter 13, Rule 13.3 "*Complementary and Alternative Therapies,"* by charging excessive fees for treatments not FDA approved, and which have no efficacy studies to support their use, all in violation of Miss. Code Ann., § 73-25-29(13).

COUNT VI

Based upon the foregoing, Licensee 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).

19. That Licensee admitted to only being involved in "Regenerative Medicine" procedures for approximately two (2) years, despite his NexGen website stating he was, "…highly trained by Empire Medical in specific techniques for treatments in regenerative medicine. Dr. R.K. Ozon has **devoted his career** to the latest research and treatment that regenerative medicine has to offer." *[emphasis added]*

Despite advertising otherwise, during the interview, Licensee denied that Allograph containing Stem Cells or PRP therapies he utilized could alleviate or improve "Bone on

Bone" conditions. Furthermore, the investigation identified numerous advertisements, for which Licensee claims to have the final approving authority such as the Jim Tabor Infomercial, which features Lawrence Bourgeois, III, D.C., asking, *"Have you been told you are bone on bone? Before you go under the knife, consider allograph stem cells…"* The Allograph containing Stem Cell treatments advertised by Licensee are not FDA-approved.

COUNT VII

Based upon the foregoing, Licensee is in violation of Title 30, Part 2635, Chapter 13, Rule 13.3 "*Complementary and Alternative Therapies,"* by utilizing false or misleading statements, subjective patient testimonials, treatment accolades, and misrepresenting his success rates and training all in violation of Miss. Code Ann., § 73-25-29(13).

COUNT VIII

Based upon the foregoing, Licensee 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).

20. Furthermore, the investigation revealed the Licensee was advertising the treatment of pain on various internet platforms, local broadcast media, and office signage. These advertisements are transmitted to the public despite the practice not being registered as a Pain Practice with the Board, as defined under 30 Miss. Admin. Code, Pt. 2640, Ch. 1, R.1.2. The rule states, in part, "Included in this definition is any practice that advertises and/or holds itself out to provide pain management services."

COUNT IX

Based upon the foregoing, Licensee is in violation of Title 30, Part 2640, Chapter 1, Rule 1.2 "*Rules Pertaining to Prescribing, Administering and Dispensing of Medication,"* by advertising treatments for pain without first registering as a Pain Clinic, all in violation of Miss. Code Ann., § 73-25-29(13).

COUNT X

Based upon the foregoing, Licensee 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).

Review of Medical Records

21. That at the time of the aforementioned interview on May 21, 2021, a request for twelve (12) records was presented to Licensee. At that time, Licensee could only produce eight (8) of the twelve (12) records requested, two (2) of which were supplied approximately a week later. Licensee failed to produce the remaining two (Patients 1 and 2).

Patient #8's chart indicates that on the initial consultation, Licensee recommended Exosome and PRP therapies. The "Injection Agreement" and finance paperwork indicates Patient #8 agreed to pay $5,000.00 dollars for Exosome and PRP therapies, yet there is no documented evidence that the Exosome therapy was ever administered.

COUNT XI

Based upon the foregoing, Licensee is in violation of Title 30, Part 2635, Chapter 13, Rule 13.7 "*Complementary and Alternative Therapies,"* by failing to maintain complete records all in violation of Miss. Code Ann., § 73-25-29(13).

COUNT XII

Based upon the foregoing, Licensee 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).

22. Rule 13.7 requires a complete medical record with certain documentation, including, diagnostic, therapeutic and laboratory results. Of the ten (10) patient charts obtained from Licensee's clinic, none contained the results of X-rays, CTs, MRIs or similar diagnostic tools. Furthermore, during his interview, Licensee denied ordering any laboratory or imaging tests, apart from an in-house Fluoroscope or X-Ray. Licensee's Informed Consent Form, paragraph 4, "Complementary X-Rays*"* states, *"*The purpose of a complimentary, single x-ray view is for the office to determine if a patient is a candidate for regenerative cellular therapy. Copies of any complimentary x-rays rendered as part of a promotion are not eligible to be given to the patient or a provider on behalf of the patient. **Complimentary x-rays are not complete radiographic series required in order to determine a diagnosis by other professionals.** [emphasis added] Patients may purchase and request a complete set of radiographic films for $50.00 per x-ray." Despite this disclaimer, Licensee is relying on this complimentary X-ray to "determine if a patient is a candidate for regenerative cellular therapy*"* at a cost of thousands of dollars to his

patients. There are no studies or other peer-reviewed sources which would indicate X-rays are, by themselves, sufficient to substantiate use of regenerative therapies.

It is noted that Licensee denied making or receiving referrals to or from outside physicians and claims that most of his patients are walk-ins that have heard about or seen their advertising.

COUNT XIII

Based upon the foregoing, Licensee is in violation of Title 30, Part 2635, Chapter 13, Rule 13.7 "*Complementary and Alternative Therapies,"* by failing to maintain complete records (diagnostic test, including X-rays), all in violation of Miss. Code Ann., § 73-25-29(13).

COUNT XIV

Based upon the foregoing, Licensee 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).

23. Of the ten (10) patient charts obtained from Licensee's clinic, none contained any documentation of an appropriate review of the patient's medical records of prior treatment(s) for the medical conditions presented, including previous conventional methods of diagnosis and treatment. Further, other than a patient indicating what previous therapies or medications they have tried, there is no evidence of previous treating physician's notes, other consults, communication with previous treating medical providers or medication therapies. Further, there are no PMP results; no blood laboratory work results; no urine test results; no records of HT/WT or vitals; no referrals; and, in most of the charts, no treatment objectives or periodic reviews.

COUNT XV

Based upon the foregoing, Licensee is in violation of Title 30, Part 2635, Chapter 13, Rule 13.5, "*Complementary and Alternative Therapies,"* by failing to maintain complete records of prior treatments and available options, all in violation of Miss. Code Ann., § 73-25-29(13).

COUNT XVI

Based upon the foregoing, Licensee 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).

24. As to each patient, Licensee utilized an informed consent document, generic and "boilerplate" in style. The consent form does not address the details of any discussions had between Licensee and patients. In addition, the consent form fails to set forth an accurate description of the benefits and risk of treatment or intervention based on scientific evidence, as well as an explanation of alternative to treatment or an intervention.

COUNT XVII

Based upon the foregoing, Licensee is in violation of Title 30, Part 2635, Chapter 13, Rule 13.4, "*Complementary and Alternative Therapies,"* by failing to include all information necessary for an informed consent, all in violation of Miss. Code Ann., § 73-25-29(13).

COUNT XVIII

Based upon the foregoing, Licensee 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).

Expert Analysis

25. That, based on the foregoing, the Board obtained a medical expert to review Licensee's patient charts. Among other observations, the expert opined that Licensee utilized non-FDA approved therapies and injected Exosomes/PRP into patient's joints/extremities, regardless of their diagnosis, with no clear physician assessment of their diagnosis nor of their improvement or lack of improvement. There is no evidence of laboratory blood work and testing which would help document if a patient were a safe candidate for treatment. Additionally, Licensee has utilized non-FDA approved therapies with no scientific evidence that said therapies have been successful other than consideration of subjective patient testimonials.

COUNT XIX

Based upon the foregoing, Licensee is in violation of Title 30, Part 2635, Chapter 13, Rule 13.3 "*Complementary and Alternative Therapies,"* by failing to meet the basic standard of care when treating patients with complementary or alternative therapies, all in violation of Miss. Code Ann., § 73-25-29(13).

COUNT XX

Based upon the foregoing, Licensee 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).

Harry A. Gunter, Investigator
Mississippi State Board of Medical Licensure

Sworn to and Subscribed Before me, this the 13th day of October 2021.

STATE OF MISSISSIPPI
HEATHER WHITE CIRLOT
ID NO 125701
Commission Expires
10/14/2022
NOTARY PUBLIC
JACKSON COUNTY

Notary Public

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE MEDICAL LICENSE

OF

ROBERT KENT OZON, M.D.

CERTIFICATE OF SERVICE

I, __Harry Gunter_____, do hereby certify that I have this date served true and correct copies of the following documents: 1. Affidavit 2. Summons to the person(s) hereinafter listed:

Robert Kent Ozon, M.D.

9344 Three Rivers Road

Gulfport, MS 39503

@ Approximately 11:50 a.m.

Dated this the _13th___ day of __October_____, 2021__.

Signed: _____

Title: Investigator