

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF PHYSICIAN'S LICENSE

OF

NIDAL RAHAL, M.D.

CONSENT ORDER

WHEREAS, Nidal Rahal, M.D., hereinafter referred to as "Licensee," is the current holder of License No. 21452, issued March 29, 2011, for the practice of medicine in the *State of Mississippi*;

WHEREAS, on May 16, 2023, the Tennessee Board of Medical Examiners, hereinafter referred to as the "Tennessee Board," entered a Final Decision and Order, accepting the Stipulation of Licensee in regard to engaging in unprofessional conduct, dishonorable or unethical conduct by departing from or failing to conform to the standard of minimally competent medical practice which creates an unacceptable risk to a patient or the public and failure to undertake adequate safeguards and security measures to ensure against loss, improper destruction, theft, or unauthorized use of the tamper-resistant prescriptions in the prescriber's possession and improper prescribing by *failing to maintain control of prescription orders*.

WHEREAS, as a part of the Tennessee Board Order, Licensee's Tennessee medical license was placed on probation for one year, and he was further required to complete a continuing education course on prescribing within sixty (60) days, pay civil penalties in the amount of \$5,800, and pay all other reasonable investigative costs. Licensee is prohibited from serving as a collaborating physician or substitute collaborating

physician during the term of probation and is required to update his collaborative information with the Tennessee Board.

WHEREAS, based on the foregoing, the Investigative Division of the Mississippi State Board of Medical Licensure has conducted an investigation into the medical practice of Licensee and has in its possession evidence which, if produced during the course of an evidentiary hearing before the Mississippi State Board of Medical Licensure, hereinafter referred to as the "Board", would substantiate that Licensee has violated certain *provisions of the Mississippi Medical Practice Law*, specifically, Miss. Code Ann. § 73-25-29(9), for which the Board may revoke the medical license of Licensee, suspend it for a time deemed proper by the Board, place his license on probation, the terms of which may be set by the Board, or take any other action in relation to his license as the Board may deem proper under the circumstances;

WHEREAS, Licensee wishes to avoid an evidentiary hearing before the Board and, in lieu thereof, has consented to certain conditions on his license to practice medicine in the State of Mississippi.

NOW, THEREFORE, the Mississippi State Board of Medical Licensure, consent of Licensee as signified by his joinder herein, does hereby medical license on **PROBATION**, subject to the following terms and condition

1. Licensee shall be forbidden from collaborating with any mid-level provider during the term of probation.
2. Licensee shall fulfill all requirements of the Tennessee Board Order and notify this Board's Compliance Officer of all the successful completion of all required continuing medical education courses related thereto.

3. Licensee agrees not to seek an appearance before the Board requesting the lifting of the probationary status or restrictions imposed by this Consent Order, without first receiving an "Order of Compliance" from the Tennessee Board and supplying proof of successful completion of required CME courses to this Board's compliance officer.
4. Licensee understands and expressly acknowledges that, should Licensee challenge or dispute any provision or statement in this agreement during the Board *approval process*, this Consent Order will automatically be rendered null and void, *and this matter shall be set for a full evidentiary hearing at the convenience of the Board.*
5. Licensee shall obey all federal, state, and local laws, and all rules and regulations governing the practice of medicine. Any further acts of misconduct will result in further action.
6. Licensee shall reimburse the Board for all costs incurred in relation to the pending matter pursuant to Miss. Code Ann. § 73-25-30, said amount not to exceed \$10,000. Licensee shall be advised of the total assessment by separate *writt* notification and shall tender to the Board a *certified check or money order mad* payable to the Mississippi State Board of Medical Licensure, on or *etorn* days from the date the assessment is mailed to Licensee via U.S. Mail to Licensee's current mailing address.

Should the Board hereafter receive documented evidence of Licensee violating any of the terms and conditions of this Consent Order, the Board shall have the right, pursuant to a full evidentiary hearing, to revoke the medical license of Licensee, suspend it for a

time deemed proper by the Board, or take any other action determined as necessary by the Board.

This Consent Order shall be subject to approval by the Board. If the Board fails to approve this Consent Order, in whole or in part, it shall have no force or effect on the parties. It is further understood and agreed that the purpose of this Consent Order is to avoid a hearing before the Board. In this regard, Licensee authorizes the Board to review and examine any documentary evidence or material concerning the Licensee prior to or *in conjunction with its consideration of this Consent Order.* Licensee further *acknowledges that he may be required to personally appear before the Board on the scheduled hearing date to answer any questions which the Board may have.* Should this Consent Order not be accepted by the Board, it is agreed that presentation to, and consideration by the Board of this Consent Order and other documents and matters pertaining thereto, including Licensee's answers to questions, shall not unfairly or illegally prejudice the Board or any of its members from participation in any further proceedings.

Licensee understands and expressly acknowledges that this Consent Order, if approved and executed by the Mississippi State Board of Medical Licensure, shall constitute a public record of the State of Mississippi. Licensee further acknowledges that the Board shall provide a copy of this Order to, among others, the National Practitioners Data Bank (NPDB), the Federation of State Medical Boards (FSMB), the Office of the Inspector General, United States Department of Health and Human Services (OIG HHS), the U.S. Drug Enforcement Administration (DEA), the Mississippi Division of Medicaid, the Mississippi Board of Pharmacy, and the Mississippi State Medical Association

(MSMA). The Board makes no representation as to what action, if any, which any other agency or jurisdiction may take in response to this Consent Order.


Recognizing his right to notice of charges specified against him, to have such charges adjudicated pursuant to Miss. Code Ann. § 73-25-27, to be represented therein by legal counsel of his choice, and to a final decision rendered upon written findings of fact and conclusions of law, **Nidal Rahal, M.D.** nonetheless, hereby waives his right to notice and a formal adjudication of charges and authorizes the Board to enter an order accepting this Consent Order.

EXECUTED, this the 24 day of October _____ 2023.



Nidal Rahal, M.D.

ACCEPTED AND APPROVED this the 15th day of November, 2023, by
the Mississippi State Board of Medical Licensure.



Michelle Y. Owens, M.D.
Board President