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

IN THE MATTER OF THE LICENSE OF:

CHARLES G. RYAN JR., M.D.

NO. 16676

DETERMINATION AND ORDER

The above titled matter came before the Mississippi State Board of Medical Licensure ("Board") in Jackson, Hinds County, Mississippi, on September 25, 2024, pursuant to a Summons and Affidavit issued to Charles G. Ryan Jr., M.D.

Complaint counsel for the Board was Honorable Paul 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 expressed that he was aware he could have had an attorney but chose to represent himself. Leyser Q. Hayes, Special Assistant Attorney General, served as the 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: Michelle Owens, M.D., President; Ken Lippincott, M.D.; Renia Dotson, M.D.; Allen Gersh, M.D.; Thomas E. Joiner, M.D.; Kirk Kinard, D.O.; Ken Lippincott, M.D.; and William E. Loper, III, M.D.

Two exhibits were introduced without objection: a) Exhibit 1-- a composite exhibit with the exception of pages 70-71 and 74-76 and b) Exhibit 2- Patient Records (under seal)—Licensee's Physicians Discharge Summary from Talbott Recovery Campus.

And now, upon consideration of all the material produced in the record before the MSBML 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 MSBML is established pursuant to the Mississippi State Board of Medical Licensure Act, Title 73, Chapter 43 of the 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 provides that the Board may revoke or suspend a license or take any other action as deemed necessary if a licensee has violated any provisions therein.
3. All parties were properly noticed of the matter now pending before the MSBML.
4. Charles G. Ryan Jr., M.D. (“Licensee”) currently holds Mississippi Medical License Number 16676, and said number is valid until June 30, 2025.
5. On or about April 12, 2024, the Board received a report that Baptist Memorial Hospital-Desoto had suspended Charles Gerald Ryan M.D.’s clinical privileges. The report indicated that on March 19, 2024, Licensee arrived at the hospital, began a caesarean section and tubal ligation, and was asked to leave the operating room because he was operating under the influence. Licensee safely removed the baby but when attempting the tubal ligation, he began tying off the round ligament instead of the fallopian tube. An assisting physician asked Licensee to allow him to take over and finish the procedure.
6. After leaving the operating room Licensee submitted to a blood alcohol content (BAC) test in the emergency department. The results indicated that his BAC was higher than the legal limit for operating a motor vehicle (.08%) in Mississippi.
7. Licensee testified that he had been sober for several years and completed a program for his alcoholism. He testified that he relapsed on or about December 2023. The evidence reflected that the Licensee practiced approximately four (4) months while being impaired.
8. Licensee did not call any witnesses. When questioned by the Board attorney the following information was obtained:
 - a. While on vacation March 15, 2013, Licensee was stopped for speeding and suspicion for D.U.I. in Gorgia. Licensee was arrested for suspicion of D.U.I. February 13, 2015, in DeSoto County, Mississippi. Licensee was found guilty on each charge.
 - b. On February 17, 2015, Licensee requested a leave of absence to permit entrance into an inpatient treatment facility.

- c. Licensee was never subpoenaed nor was his license revoked after he enrolled in the Mississippi Professionals Health Program (MPHP). On May 6, 2015, Licensee executed a five-year Recovery Contract Agreement for aftercare monitoring and advocacy.
 - d. Licensee successfully completed his contract requirements with the MPHP on May 21, 2021.
 - e. Licensee was declared “unsafe and unfit for clinical practice” on March 19, 2024, at the Baptist Memorial Hospital. At that time, the staff at the facility stated the following “to reduce a substantial and imminent likelihood of significant danger to the life, health, and safety of the patients at BMH-DeSoto, and to allow the Medical Executive Committee the Opportunity to consider the clinical concerns with Dr. Ryan which, if confirmed, have the potential to adversely affect patient care and employee safety a precautionary suspension of all of Dr. Ryan’s clinical privileges should be imposed immediately.”
 - f. Licensee signed an Agreement not to practice with MPHP on March 20, 2024. Licensee was admitted to the Talbott Recovery Center. On April 12, 2024, an official notice of suspension was given by Brad Parsons, CEO and the Licensee’s conduct was reported to the National Practitioner Data Base.
 - g. Licensee admitted the allegations regarding the March 19, 2024, incident and did not contest the charges.
 - h. In a communication to Dr. Kenneth Cleveland on July 19, 2024, Licensee testified that he understood that having Dr. Cleveland sign the MPHP contract “did not constitute a waiver of additional investigations or sanctions by MSBML”.
9. Licensee testified that he was embarrassed and humiliated due to his conduct. He testified that he was sober now and expressed that the relapse was caused due to the lapse in his spiritual condition, the loss of fear of the disease, the fact that he was on vacation and was not as vigilant.
 10. Licensee testified that he drove himself to the hospital on March 19, 2024, but had never performed a procedure under the influence other than the incident that day.
 11. When the Licensee was questioned about the MSBML receiving all his medical records, he stated he had not received notice regarding them and that he would be happy to release everything.
 12. The Physician Discharge Summary from Talbott Recovery Campus, which is under seal, reflected the nature of the diagnosis for Licensee’s alcohol use.

Conclusions of Law

1. The MSBML 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. 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 MSBML 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 upon clear and convincing evidence and testimony presented, Licensee is found guilty of **Count I** of the Affidavit, i.e. guilty of having disciplinary action taken by his peers within any professional medical association or society, whether any such association or society is local, regional, state or national in scope, or being disciplined by a license hospital or medical staff or said hospital, or the voluntary surrender or restriction of hospital staff privileges while an investigation or disciplinary proceeding is being conducted by that licensed hospital or medical staff or medical staff committee of said hospital all in violation of Miss. Code Ann. § 73-25-83 (c).
5. Based upon clear and convincing evidence and testimony presented, Licensee is found guilty of **Count II**, i.e., 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, restrictions, and conditions to be appropriate under the circumstances:

ORDER

IT IS THEREFORE ORDERED that Mississippi Medical license No. 16676 issued to Charles G. Ryan Jr., hereby is suspended for one year.

IT IS FURTHER ORDERED that Licensee shall complete AMA Category 1 CME (Continuing Medical Education) courses in the areas of ethics/professionalism approved by the Executive Director on behalf of the MSBML. After completion of each CME, Licensee shall submit to the Board documentary proof of successful completion thereof. The Board shall be under no obligation to consider licensure reinstatement until such time as it has received written proof of successful completion of each CME course.

IT IS FURTHER ORDERED that Licensee will agree to remain affiliated with Mississippi Physicians Health Program (MPHP) for the lifetime of his practice, at all times subject to an MPHP Monitoring Contract and Agreement.

IT IS FURTHER ORDERED that in the event License chooses to petition for reinstatement of his license, he shall personally appear before the MSBML not less than one year from the date of this Order and establish that he has met all requirements set forth in this Determination and Order.

IT IS FURTHER ORDERED that Licensee shall reimburse the Board for all costs incurred in relation to the pending matter pursuant to Miss Code Ann. § 73-25-30. 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 U.S. mail at Licensee's current mailing address.

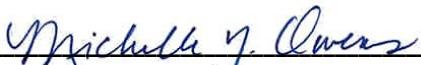
IT IS FURTHER ORDERED that Licensee shall cooperate with the MSBML, its attorneys, investigators, and other representatives in the investigations and monitoring of Licensee's practice and compliance with the provisions of this Determination and Order.

IT IS FURTHER ORDERED that if Licensee violates the terms of this Determination and Order or further violates the laws, rules and regulations governing the practice of medicine, the MSBML may take further disciplinary action against Licensee, up to and including revocation of his license.

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), 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 25th day of September 2024.

MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

BY: 
Michelle Y. Owens, M.D.
President