

**MINUTES
EXECUTIVE COMMITTEE MEETING
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
MARCH 15, 2017**

MEMBERS PRESENT:

Charles D. Miles, M.D., West Point, President
Virginia M. Crawford, M.D., Hattiesburg, Vice President
Claude D. Brunson, M.D., Secretary

ALSO PRESENT:

John K. Hall, M.D., J.D., Executive Director
Stan T. Ingram, Complaint Counsel for the Board
Ellen O'Neal, Special Assistant Attorney General
Rhonda Freeman, Bureau Director, Licensure Division
Leslie Ross, Bureau Director, Investigative Division
Jonathan Dalton, Staff Officer, Investigative Division
Frances Carrillo, Staff Officer, Investigative Division
Sherry H. Pilgrim, Staff Officer

The Executive Committee of the Mississippi State Board of Medical Licensure met on Wednesday, March 15, 2017, at 9:00 a.m. in the Board Room of the Office of the Board located at 1867 Crane Ridge Drive, Jackson, Mississippi.

**Personal appearance by Mohammad I. Ahmad-Sabry, M.D., McComb, Mississippi
Medical License Number 19115**

Dr. Ahmad-Sabry joined the meeting and was not represented by legal counsel. Dr. Ahmad-Sabry had executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

Following introductions, Dr. Miles advised Dr. Ahmad-Sabry why he had been invited to appear before the Executive Committee. Dr. Miles asked Dr. Ahmad-Sabry to discuss his practice.

Dr. Ahmad-Sabry addressed the Executive Committee and advised he has two practice locations in McComb and Greenville, Mississippi in chronic pain management and addiction treatment. Dr. Ahmad-Sabry advised he also does locums tenens as an anesthesiologist in his free time and teaches at William Carey University.

Dr. Miles asked Dr. Ahmad-Sabry to discuss his management of pain patients and pain contracts. Dr. Ahmad-Sabry answered questions and discussed his chronic pain and

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addiction practice. A motion was made by Dr. Crawford, seconded by Dr. Miles and carried that the Executive Committee enter into Executive Session to discuss a matter that could result in adverse action.

Upon a motion by Dr. Crawford, seconded by Dr. Miles and carried the Executive Committee came out of Executive Session at which time Dr. Miles asked Dr. Brunson to report on its decision. Dr. Brunson advised that the Executive Committee recommends that Dr. Ahmad-Sabry be offered a Consent Order in lieu of a formal hearing. As part of the Consent Order, he shall submit to an evaluation of his pain practice at a Board approved program such as CPEP and cease his chronic pain practice until all evaluation recommendations have been met.

Dr. Miles informed Dr. Ahmad-Sabry that the Executive Committee will make its recommendation to the full Board on Thursday.

Personal appearance by Chadley Vega, M.D., Oxford, Mississippi Medical License Number 16878

Dr. Vega joined the meeting and was not represented by legal counsel. Dr. Vega had executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

Following introductions, Dr. Miles advised Dr. Vega why he had been invited to appear before the Executive Committee. Dr. Miles asked Dr. Vega to discuss his prescribing practices at the Vida Mend Clinic in Oxford, Mississippi.

Dr. Vega advised that the practice is an IV hydration therapy mainly for runners. He advised this practice has been opened approximately two years and he is the only physician that is associated in this practice. Dr. Miles asked Dr. Vega to describe the management of patients in this practice of hydration therapy and his involvement with patients. Dr. Vega advised that walk in patients make requests for treatment, complete patient forms, vitals recorded by nurse and after patient meets the protocol criteria, the patient decides what they want. Dr. Vega acknowledged that patients received treatment without him examining the patient or establishing a doctor / patient relationship.

The Executive Committee asked questions concerning Dr. Vega's practice protocol, the medications used in the hydration therapy, record keeping and patient management. A motion was made by Dr. Brunson, seconded by Dr. Crawford and carried that the Executive Committee enter into Executive Session to discuss a matter that could result in adverse action.

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Upon a motion by Dr. Miles, seconded by Dr. Crawford and carried the Executive Committee came out of Executive Session at which time Dr. Miles asked Dr. Brunson to report on its decision. Dr. Brunson advised that the Executive Committee recommends that Dr. Vega be offered a Consent Order in lieu of a formal hearing. As part of the Consent Order, Dr. Vega should cease prescribing or treating any patient with whom he does not have a doctor / patient relationship. Dr. Vega should obtain PBI CME courses in professionalism and ethics.

Dr. Miles informed Dr. Vega that the Executive Committee will make its recommendation to the full Board on Thursday.

Personal appearance by Elizabeth Dimitri, D.O., Slidell, LA, Mississippi Medical License Number 21866

Dr. Dimitri joined the meeting and was represented by legal counsel, Barry Cockrell. Dr. Dimitri had executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

Following introductions, Dr. Miles advised Dr. Dimitri why she had been invited to appear before the Executive Committee. Dr. Miles asked Dr. Dimitri's to discuss the advertising used by her practice and commented that she had been before the Board previously regarding this issue in 2012.

Dr. Dimitri addressed the Executive Committee to discuss the advertising used by her practice. Dr. Dimitri advised that she had received a notice from the Board regarding her practice advertising and she was confused because she believed to be in compliance with the advertising rule from her last appearance with the Board. Dr. Dimitri directed her attorney to contact Dr. Hall, the Executive Director and he advised that the issue was with the web site advertising of her practice.

Dr. Dimitri explained after reviewing the website she contacted the web provider Yellow Pages. Yellow Pages had outsourced the web hosting to a foreign country and they inadvertently merged some data on the website. Dr. Dimitri said she immediately pulled the website down and the host corrected the advertisement to be in compliance with the advertising rule. Dr. Dimitri provided a letter / email from a representative with Yellow pages to confirm the correction.

Dr. Dimitri advised the Executive Committee of her plan to stay in compliance with the advertising rule. The plan is a website for the Bay St. Louis Office with a bio with no reference to dermatology keeping the Louisiana locations separate. Every reference to Mississippi has been removed from the website. Dr. Miles advised that she can

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practice dermatology but cannot hold herself out as a board certified dermatologist in Mississippi.

Motion was made by Dr. Crawford, seconded by Dr. Brunson and carried that Dr. Dimitri adhere to her plan to develop a separate website for the Mississippi clinic and no further action is necessary. Dr. Miles recommended she provide a copy of the website to Dr. Hall, Director, for review before posting online.

Personal appearance by Eric Tabor, M.D., Slidell, LA, Mississippi Medical License Number 15605

Dr. Hall advised Dr. Tabor had requested a postponement and will appear at the May meeting.

Personal appearance by Michelle Fernandez, M.D., New Orleans, LA, Applicant

Dr. Fernandez joined the meeting and was represented by legal counsel, Paul Rogers. Dr. Fernandez had executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

Following introductions, Dr. Miles advised Dr. Fernandez why he had been invited to appear before the Executive Committee. Dr. Miles advised Dr. Fernandez was invited to discuss discrepancies on her application for a permanent Mississippi medical license. Dr. Miles asked Dr. Fernandez to discuss reasons for the separation from two hospitals.

Following several questions from the Executive Committee, motion was made by Dr. Brunson, seconded by Dr. Crawford and carried for Dr. Fernandez to proceed with the licensure process for a permanent Mississippi medical license.

Personal appearance by Jim Patrick Gray, M.D., Pascagoula, Mississippi Medical License Number 19376

Dr. Gray joined the meeting and was represented by legal counsel, Doug Mercier. Dr. Gray had executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

Following introductions, Dr. Miles advised Dr. Gray why he had been invited to appear before the Executive Committee. Dr. Miles asked Dr. Gray to discuss his arrest. Dr. Gray discussed his arrest on January 13th, where he was initially charged with illicit substances which was amended by the Justice Court to disorderly conduct and all initial charges were expunged. Mr. Mercier further explained to the Executive Committee the initial charge was expunged of the felony and he admitted to disorderly conduct and is

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the only charge on record and according to the law places Dr. Gray back into the legal position prior to the arrest. Stan Ingram agreed and responded that the Board wishes to discuss the event despite the expungement of the charges. Dr. Miles asked Dr. Gray and his counsel to further discuss this arrest. Dr. Gray and counsel agreed to do so. Mr. Mercier further explained that Dr. Gray fully cooperated and voluntarily assisted with Law Enforcement and if the Board had any question as to drug use, Dr. Gray will voluntarily submit to drug screen.

Dr. Gray addressed the Executive Committee concerning the events leading to the arrest and denied drug use. Dr. Gray answered questions by the Executive Committee regarding the arrest, his employment and drug use. A motion was made by Dr. Crawford, seconded by Dr. Brunson and carried that the Executive Committee refers Dr. Gray to the Examining Committee pursuant to MS Code § 73-25-55.

Dr. Miles advised Dr. Gray that he will be receiving instructions advising him of the meeting with the Examining Committee.

THE EXECUTIVE COMMITTEE RECESSED FOR LUNCH AT 11:30 A.M. AND RETURNED AT 1:00 P.M.

Personal appearance by Charles S. Fillingane, D.O., Jackson, Mississippi Medical License Number 11114

Dr. Fillingane joined the meeting and was not represented by legal counsel. Dr. Fillingane had executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

Following introductions, Dr. Miles advised Dr. Fillingane why he had been invited to appear before the Executive Committee. Dr. Miles asked Dr. Fillingane to discuss his practice and management of his medical records. Dr. Miles advised Dr. Fillingane that patients have been trying to locate Dr. Fillingane to obtain their medical records and the Board had not received a change of address from him.

Dr. Fillingane addressed the Executive Committee and discussed his practice changes, closing his practice and the manner he utilized to contact and notify patients how they may obtain medical records before answering questions from the Executive Committee. Dr. Miles asked Dr. Fillingane to provide a copy of medical records to the Board.

A motion was made by Dr. Crawford, seconded by Dr. Brunson and carried that that Dr. Fillingane is to provide the Board a copy of the requested medical records regarding his practice in a timely fashion for the Board's review. Dr. Fillingane was requested to complete an address change form before leaving.

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Agenda for Board Rule Review and Approval March 15, 2017

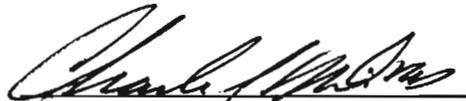
The agenda for the Board Rule Review and Approval was reviewed.

Agenda for Board Meeting March 16, 2017

The agenda for the Board Meeting was briefly discussed.

ADJOURNMENT

There being no further business, the meeting adjourned at 1:30 p.m.



Charles D. Miles, MD
President

Minutes taken and transcribed
by Frances Carrillo
Staff Officer
March 15, 2017

**EXECUTIVE SESSION - EXECUTIVE COMMITTEE
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
March 15, 2017**

AGENDA ITEM: Personal appearance by Mohammad I. Ahmad-Sabry, M.D.

In a motion by Dr. Crawford, seconded by Dr. Brunson, and carried the Executive Committee will recommend to the Board that Dr. Sabry cease his pain practice until he submits to an evaluation of his pain practice at a Board approved program such as CPEP and that this evaluation be in lieu of formal charges. The above conditions will be via Consent Order.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Charles D. Miles, M.D.	X			
Virginia M. Crawford, M.D.	X			
Claude D. Brunson, M.D.	X			

With a motion by Dr. Crawford, seconded by Dr. Miles, the Executive Committee came out of Executive Session.


Charles D. Miles, M.D.
President

**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**

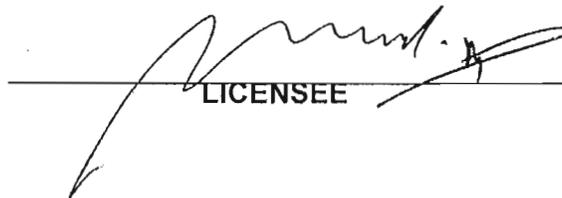
I, **Mohammad I. Ahmad-Sabry, M.D.**, have been asked to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss issues which may relate to my practice and possible the grounds, if any, for disciplinary action, and possible resolution of the same. It is the purpose of the informal meeting to discuss the facts of the case, to give me an opportunity to ask questions of the Committee or its staff, and to give the Committee or its staff an opportunity to ask questions of me. Because the meeting is informal, no disciplinary action will be taken without my express written consent. In so doing, I have been advised and understand the following:

1. During the meeting, the Executive Committee may or may not be represented by legal counsel. Notwithstanding, I understand that I have a right, if I so choose, to employ legal counsel and have counsel present during the informal meeting.
2. I authorize the Committee Members to review and examine any statements, documentary evidence, or materials concerning the possible grounds for disciplinary action against my license.
3. Because the purpose of my appearance is to avoid a hearing before the Board, I agree that presentation to and consideration by the Committee of any facts, matters, and documents pertaining to my case shall not unfairly or illegally prejudice the Committee members from further participation or consideration in the event a formal hearing is later conducted. Stated differently, in the event the pending matter is not resolved following my appearance before the Committee, I will not object to any of the Committee members from further participating in subsequent meetings or hearings that may be conducted in relation to this matter.
4. By signing my name in the space provided below, I hereby authorize the Executive Committee to proceed with the informal appearance, subject to the stipulations and understandings as noted above. I have elected to proceed:

___ with legal counsel present (name of counsel: _____)

without legal counsel present

EXECUTED, this the 15 day of March, 2017.



LICENSEE

Witness: 
(Thelmekia Robinson)

**EXECUTIVE SESSION - EXECUTIVE COMMITTEE
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
March 15, 2017**

AGENDA ITEM: Personal appearance by Chadley Vega, M.D.

In a motion by Dr. Crawford, seconded by Dr. Miles, and carried the Executive Committee will recommend to the Board that Dr. Vega cease prescribing or treating any patient with whom he does not have a physician/patient relationship and that he take PBI courses in professionalism and ethics. The above recommendations will be presented to him in the form of a Consent Order.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Charles D. Miles, M.D.	X			
Virginia M. Crawford, M.D.	X			
Claude D. Brunson, M.D.	X			

With a motion by Dr. Miles, seconded by Dr. Crawford, the Executive Committee came out of Executive Session.



Charles D. Miles, M.D.
President

**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**

I, **Chadley Vega, M.D.**, have been asked to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss issues which may relate to my practice and possible the grounds, if any, for disciplinary action, and possible resolution of the same. It is the purpose of the informal meeting to discuss the facts of the case, to give me an opportunity to ask questions of the Committee or its staff, and to give the Committee or its staff an opportunity to ask questions of me. Because the meeting is informal, no disciplinary action will be taken without my express written consent. In so doing, I have been advised and understand the following:

1. During the meeting, the Executive Committee may or may not be represented by legal counsel. Notwithstanding, I understand that I have a right, if I so choose, to employ legal counsel and have counsel present during the informal meeting.
2. I authorize the Committee Members to review and examine any statements, documentary evidence, or materials concerning the possible grounds for disciplinary action against my license.
3. Because the purpose of my appearance is to avoid a hearing before the Board, I agree that presentation to and consideration by the Committee of any facts, matters, and documents pertaining to my case shall not unfairly or illegally prejudice the Committee members from further participation or consideration in the event a formal hearing is later conducted. Stated differently, in the event the pending matter is not resolved following my appearance before the Committee, I will not object to any of the Committee members from further participating in subsequent meetings or hearings that may be conducted in relation to this matter.
4. By signing my name in the space provided below, I hereby authorize the Executive Committee to proceed with the informal appearance, subject to the stipulations and understandings as noted above. I have elected to proceed:

with legal counsel present (name of counsel: _____)

without legal counsel present

EXECUTED, this the 15 day of March, 2017.

LICENSEE

Witness:



(Thelmeia Robinson)

**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**

I, **Elizabeth Dimitri, D.O.**, have been asked to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss issues which may relate to my practice and possible the grounds, if any, for disciplinary action, and possible resolution of the same. It is the purpose of the informal meeting to discuss the facts of the case, to give me an opportunity to ask questions of the Committee or its staff, and to give the Committee or its staff an opportunity to ask questions of me. Because the meeting is informal, no disciplinary action will be taken without my express written consent. In so doing, I have been advised and understand the following:

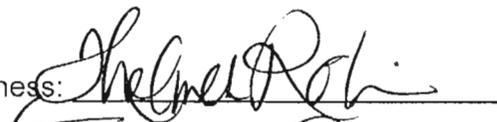
1. During the meeting, the Executive Committee may or may not be represented by legal counsel. Notwithstanding, I understand that I have a right, if I so choose, to employ legal counsel and have counsel present during the informal meeting.
2. I authorize the Committee Members to review and examine any statements, documentary evidence, or materials concerning the possible grounds for disciplinary action against my license.
3. Because the purpose of my appearance is to avoid a hearing before the Board, I agree that presentation to and consideration by the Committee of any facts, matters, and documents pertaining to my case shall not unfairly or illegally prejudice the Committee members from further participation or consideration in the event a formal hearing is later conducted. Stated differently, in the event the pending matter is not resolved following my appearance before the Committee, I will not object to any of the Committee members from further participating in subsequent meetings or hearings that may be conducted in relation to this matter.
4. By signing my name in the space provided below, I hereby authorize the Executive Committee to proceed with the informal appearance, subject to the stipulations and understandings as noted above. I have elected to proceed:
 with legal counsel present (name of counsel: Barry Cockrell)
 without legal counsel present

EXECUTED, this the 15 day of MARCH, 2017.



LICENSEE

Witness:


(Thelmekia Robinson)

**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY APPLICANT FOR LICENSURE**

I, **Michelle Fernandez, M.D.**, have requested an opportunity to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss my pending application for a Mississippi medical license, the current investigation being conducted by the Board, possible grounds for denial, and possible resolution of the matter. It is the purpose of the informal meeting to discuss the facts of the case, to give me an opportunity to ask questions of the Committee or its staff, and to give the Committee or its staff an opportunity to ask questions of me. Because the meeting is informal, no disciplinary action will be taken without my express written consent. In so doing, I have been advised and understand the following:

1. During the meeting, the Executive Committee may or may not be represented by legal counsel. Notwithstanding, I understand that I have a right, if I so choose, to employ legal counsel and have counsel present during the informal meeting.
2. I authorize the Committee Members to review and examine any statements, documentary evidence, or materials concerning the possible grounds for denial of licensure during my informal appearance.
3. Because the purpose of my appearance is to avoid a hearing before the Board, I agree that presentation to and consideration by the Committee of any facts, matters, and documents pertaining to my case shall not unfairly or illegally prejudice the Committee members from further participation or consideration in the event a formal show cause hearing is later conducted. Stated differently, in the event the pending matter is not resolved following my appearance before the Committee, I will not object to any of the Committee members from further participating in subsequent meetings or hearings that may be conducted in relation to this matter.
4. By signing my name in the space provided below, I hereby authorize the Executive Committee to proceed with the informal appearance, subject to the stipulations and understandings as noted above. I have elected to proceed:

with legal counsel present (name of counsel: Paul Rogers)
 without legal counsel present

EXECUTED, this the 15 day of March, 2017.

Witness:


(Thelmekia Robinson)

APPLICANT

NAME PRINTED


M. FERNANDEZ

**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**

I, **Jim Patrick Gray, M.D.**, have been asked to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss issues which may relate to my practice and possible the grounds, if any, for disciplinary action, and possible resolution of the same. It is the purpose of the informal meeting to discuss the facts of the case, to give me an opportunity to ask questions of the Committee or its staff, and to give the Committee or its staff an opportunity to ask questions of me. Because the meeting is informal, no disciplinary action will be taken without my express written consent. In so doing, I have been advised and understand the following:

1. During the meeting, the Executive Committee may or may not be represented by legal counsel. Notwithstanding, I understand that I have a right, if I so choose, to employ legal counsel and have counsel present during the informal meeting.
2. I authorize the Committee Members to review and examine any statements, documentary evidence, or materials concerning the possible grounds for disciplinary action against my license.
3. Because the purpose of my appearance is to avoid a hearing before the Board, I agree that presentation to and consideration by the Committee of any facts, matters, and documents pertaining to my case shall not unfairly or illegally prejudice the Committee members from further participation or consideration in the event a formal hearing is later conducted. Stated differently, in the event the pending matter is not resolved following my appearance before the Committee, I will not object to any of the Committee members from further participating in subsequent meetings or hearings that may be conducted in relation to this matter.
4. By signing my name in the space provided below, I hereby authorize the Executive Committee to proceed with the informal appearance, subject to the stipulations and understandings as noted above. I have elected to proceed:

with legal counsel present (name of counsel: Doug Mercer)

without legal counsel present

EXECUTED, this the 15 day of March, 2017.

19376
LICENSEE

Witness:

Thelmeia Robinson
(Thelmeia Robinson)

**AGREEMENT TO APPEAR INFORMALLY BEFORE EXECUTIVE COMMITTEE
BY CURRENT LICENSEE**

I, ^{DO} Charles S. Fillingane, M.D., have been asked to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss issues which may relate to my practice and possible the grounds, if any, for disciplinary action, and possible resolution of the same. It is the purpose of the informal meeting to discuss the facts of the case, to give me an opportunity to ask questions of the Committee or its staff, and to give the Committee or its staff an opportunity to ask questions of me. Because the meeting is informal, no disciplinary action will be taken without my express written consent. In so doing, I have been advised and understand the following:

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4. By signing my name in the space provided below, I hereby authorize the Executive Committee to proceed with the informal appearance, subject to the stipulations and understandings as noted above. I have elected to proceed:

___ with legal counsel present (name of counsel: _____)

without legal counsel present

EXECUTED, this the 15th day of March, 2017.

Charles S. Fillingane, M.D.
LICENSEE

Witness:


(Thelma Robinson)