

**BOARD MINUTES**  
**MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE**  
**MARCH 24, 2016**

The regularly scheduled meeting of the Mississippi State Board of Medical Licensure was held on Thursday, March 24, 2016, in the Board Room of the Office of the Board located at 1867 Crane Ridge Drive, Jackson, Mississippi.

The following members were present:

Virginia M. Crawford, M.D., Hattiesburg, President  
Charles D. Miles, M.D., West Point, Vice President  
Rickey L. Chance, D.O., Ocean Springs, Secretary  
John C. Clay, M.D., Meridian  
S. Randall Easterling, M.D., Vicksburg  
C. Kenneth Lippincott, M.D., Tupelo  
William S. Mayo, D.O., Oxford

Also present:

H. Vann Craig, M.D., Director  
Stan T. Ingram, Complaint Counsel for the Board  
Ellen O'Neal, Special Assistant Attorney General  
Rhonda Freeman, Bureau Director, Licensure Division  
Thomas Washington, Bureau Director, Investigative Division  
Leslie Ross, Investigations Supervisor  
Frances Carrillo, Special Projects Officer, Investigative Division  
Sherry H. Pilgrim, Staff Officer  
Wesley Breland, Hattiesburg, Consumer Health Committee  
Maj Gen (Ret) Erik Hearon, Consumer Health Committee

Not present:

Claude D. Brunson, M.D., Jackson  
J. Ann Rea, M.D., Summit  
Charles Thomas, Yazoo City, Consumer Health Committee

The meeting was called to order at 9:00 a.m. by Dr. Crawford, President. The invocation was given by Dr. Miles and the pledge was led by Dr. Chance. Dr. Crawford extended a welcome to all visitors present at the meeting.

Dr. Crawford advised that the Board was celebrating Dr. Craig's retirement and read the Resolution. Dr. Crawford recognized Dr. Craig for the nine (9) years and four (4) months that he had served as the Board's Executive Director. Also, Dr. Crawford presented Dr. Craig with a plaque from the Board members recognizing his service to

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the Board. A copy of the Resolution is attached hereto and incorporated by reference.

Dr. Crawford opened the floor for public comments but there were none.

**APPROVAL OF CERTIFICATION OF MISSISSIPPI LICENSES TO OTHER ENTITIES FOR THE PERIOD JANUARY 01, 2016, THROUGH FEBRUARY 29, 2016**

Three hundred twenty-three (323) licenses were certified to other entities for the period of January 01, 2016, through February 29, 2016. Motion was made by Dr. Easterling, seconded by Dr. Mayo, and carried unanimously to approve these certifications.

**APPROVAL OF LICENSES ISSUED FOR THE PERIOD JANUARY 01, 2016, THROUGH FEBRUARY 29, 2016**

Ninety-six (96) licenses were issued for the period of January 01, 2016, through February 29, 2016. Motion was made by Dr. Mayo, seconded by Dr. Chance, and carried unanimously to approve these licenses.

**REVIEW OF MINUTES OF THE EXECUTIVE COMMITTEE MEETING DATED JANUARY 13, 2016, MINUTES OF THE BOARD MEETING DATED JANUARY 14, 2016, AND MINUTES OF THE SPECIALLY CALLED BOARD MEETING DATED FEBRUARY 24, 2016**

Minutes of the Executive Committee Meeting dated January 13, 2016, Minutes of the Board Meeting dated January 14, 2016, and Minutes of the Specially Called Board Meeting dated February 24, 2016, were reviewed. Dr. Mayo moved for approval of the minutes as submitted. Dr. Chance seconded the motion and it carried unanimously.

**REPORT OF MARCH 23, 2016, EXECUTIVE COMMITTEE MEETING**

Dr. Craig briefly discussed the appearance of Tao Chen, M.D., who met with the Executive Committee on March 23, 2016. Information pertaining to the Executive Committee's decision/recommendation is included in the Executive Committee Minutes dated March 23, 2016.

Following a brief discussion, the Board agreed to wait and address Dr. Chen's request at the May meeting once more information is received. With that decision, motion was made by Dr. Easterling, seconded by Dr. Mayo, and carried unanimously to ratify the action taken by the Executive Committee.

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### **REPORTS FROM COMMITTEES**

**Scope of Practice** - Dr. Easterling (Chair), Dr. Chance, Dr. Miles, Dr. Rea, Mr. Thomas

Dr. Easterling advised there was no new information to report.

**Professionals Health Program** - Dr. Chance (Chair), Dr. Lippincott, Dr. Crawford

Dr. Chance advised the committee met this morning and plans are to update the Memorandum of Understanding by June 30, 2016.

**Rules, Regulation & Legislative** - Dr. Mayo (Chair), Dr. Easterling, Dr. Miles, Dr. Clay, Mr. Breland

Dr. Mayo advised the committee met this morning and will provide an additional report later today.

**Telemedicine/ Interstate Licensure Compact** - Dr. Brunson (Chair), Dr. Crawford, Dr. Craig, Ms. Freeman, Maj Gen (Retired) Hearon

Dr. Brunson was absent, but Dr. Crawford advised there was no new information to report.

**Licensees Education and Communication** - Dr. Easterling (Chair), Dr. Chance, Dr. Crawford, Dr. Rea, Ms. Freeman

Dr. Easterling advised there was no new information to report.

**Physician Assistant Advisory Task Force** - Dr. Crawford (Chair), Robert Philpot, Jr. PhD, PA-C, Tristen Harris, PA-C, Lauren English, PA-C, Phyllis Johnson, Board of Nursing, Ms. Freeman

Dr. Crawford advised the committee met yesterday for their inaugural meeting and discussed proposed changes to the rules and regulations pertaining to physician assistants. The committee plans to meet quarterly.

### **APPOINT NOMINATING COMMITTEE**

Dr. Crawford appointed a Nominating Committee to submit a slate of officers for the next year beginning in July. Dr. Crawford appointed Dr. Mayo as Chair with Dr. Chance and Dr. Lippincott serving as members. The Nominating Committee will make their recommendations at the May Board meeting.

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### **CUSTODIAN OF RECORDS**

Dr. Crawford advised that pending employment of a new executive director, a motion was needed to make Frances Carrillo, Staff Officer, the custodian of records. Motion was made by Dr. Chance, seconded by Dr. Miles, and carried to grant the request until a new Executive Director is appointed.

### **PRESENTATION**

Dr. Crawford introduced Douglas Tucker, M.D., Senior Anesthesiology Resident at the University of Mississippi Medical Center (UMMC) and advised that he had requested time to make a brief presentation.

Dr. Douglas thanked the Board for allowing him the opportunity to discuss anesthesiologist assistants. Dr. Douglas stated that he has talked with Dr. Brunson and wanted to provide the Board with information concerning anesthesiologist assistants. Dr. Douglas provided a handout and then briefly discussed the educational requirements and their goal to create legislation for anesthesiologist assistants. Dr. Douglas said they will present their request to the Mississippi State Medical Association (MSMA) at their next meeting. Dr. Douglas stated that they were wanting to discuss the matter with the Board and hope that the Board will support them during the legislative process.

Dr. Crawford thanked Dr. Douglas for coming today and advised that the Board will discuss the matter further.

### **HEARING IN THE CASE OF MYRON C. STOKES, SR., M.D., COLLIERVILLE, TN, MISSISSIPPI MEDICAL LICENSE NUMBER 21733**

Mr. Ingram advised that Dr. Stokes has recently retained an attorney to handle his case. Mr. Ingram advised that Dr. Stokes had originally requested an appeal, but through his attorney, Doug Mercier, had sent a Notice of Withdrawal of Request to Appear, and Intention to Reschedule the Appearance. Mr. Ingram advised that this was a matter relative to the Disabled Physician Law and requested that they be allowed to reserve the right to appear at a later time. The Board unanimously agreed with Mr. Ingram's request.

### **HEARING IN THE CASE OF FELICIE GRETCHEN WYATT, M.D., PORT GIBSON, MISSISSIPPI MEDICAL LICENSE NUMBER 21128**

Mr. Ingram advised that he recently had a conversation with Dr. Wyatt and she had requested that the Board hold the matter in abeyance until completion of her criminal trial in Arkansas. Dr. Wyatt advised Mr. Ingram that the Alabama and Louisiana

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Boards had both agreed to hear her case after the criminal trial in Arkansas.

Following a brief conversation, motion was made by Dr. Mayo, seconded by Dr. Crawford, and carried unanimously to grant Dr. Wyatt a continuance until the May 19, 2016, Board meeting. A copy of the Continuance is attached hereto and incorporated by reference.

**HEARING IN THE CASE OF RONNIE ALI, D.O., OCEAN SPRINGS, MISSISSIPPI  
MEDICAL LICENSE NUMBER 16596**

Mr. Ingram advised that the Board had received a request from Dr. Ali's attorneys requesting a continuance.

Following a brief discussion, motion was made by Dr. Mayo, seconded by Dr. Miles, and carried unanimously to grant Dr. Ali a continuance until the May 19, 2016, Board meeting. A copy of the Continuance is attached hereto and incorporated by reference.

**HEARING IN THE CASE OF JONATHAN DAVID INGRAM, M.D., ATLANTA, GA,  
MISSISSIPPI MEDICAL LICENSE NUMBER 16549**

Mr. Ingram advised that the certified mail sent to Dr. Ingram had been returned undelivered and that he was requesting a continuance to see if the Board is able to serve process.

Following a brief discussion, motion was made by Dr. Easterling, seconded by Dr. Mayo, and carried unanimously to grant Dr. Ingram a continuance until the May 19, 2016, Board meeting. A copy of the Continuance is attached hereto and incorporated by reference.

**FOR INFORMATIONAL PURPOSES, THOMAS PAGE MCGEE, JR., M.D., FRANKLIN,  
NC, MISSISSIPPI MEDICAL LICENSE NUMBER 06302**

For informational purposes only, Dr. Craig advised that Dr. McGee had signed and returned an Agreed Order Not to Renew or Seek Reinstatement of Medical License due to action taken by the North Carolina Medical Board.

**FOR INFORMATIONAL PURPOSES, STEVE MORRIS, III, M.D., WAVELAND,  
MISSISSIPPI MEDICAL LICENSE NUMBER 13836**

For informational purposes only, Dr. Craig advised that Dr. Morris had signed a voluntarily surrender relinquishing his right to practice medicine in Mississippi.

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**FOR INFORMATIONAL PURPOSES, PATRICK ELLISON SEWELL, JR., M.D., ELM GROVE, LA, MISSISSIPPI MEDICAL LICENSE NUMBER 14876**

**FOR INFORMATIONAL PURPOSES, EDWARD J. O'BRIEN, SR., M.D., NEW ORLEANS, LA, MISSISSIPPI MEDICAL LICENSE NUMBER 07040**

**FOR INFORMATIONAL PURPOSES, STEVEN WAYNE EASLEY, M.D., MADISON, MISSISSIPPI MEDICAL LICENSE NUMBER 15463**

In reference to the above three (3) physicians, Mr. Ingram advised that the next three (3) items on the agenda were discussions of several matters to be considered under the *Mississippi Disabled Physician Law*, which provides that all patient records, investigative reports and other documents in possession of the Board and Examining Committee shall be kept confidential.

Motion was made by Dr. Chance to consider going into Executive Session. The motion was seconded by Dr. Mayo and carried unanimously. The Board then discussed the purpose for the Executive Session, which is to conduct an investigative hearing by a public body regarding allegations of misconduct or violation of the law.

Motion was made by Dr. Chance to go into Executive Session based upon the above grounds. The motion was seconded by Dr. Mayo and carried unanimously. The Board then went into Executive Session.

Upon a motion by Dr. Easterling, seconded by Dr. Crawford, and carried the Board came out of Executive Session at which time Dr. Crawford asked Dr. Chance to report on the Board's decisions. Dr. Chance advised that no actions were taken and that only information was given on the status of the disabled physicians.

**APPROVAL REQUEST FROM EAST MISSISSIPPI STATE HOSPITAL**

Dr. Craig discussed the letter the Board received from East Mississippi State Hospital requesting approval for a waiver for the Limited Institutional License for three (3) physicians that work for the hospital. The three (3) physicians involved are: Ruben Cruz, M.D., Rafael Florez, M.D., and Pacifico Ongkingco, Jr., M.D.

Following a brief discussion, motion was made by Dr. Mayo, seconded by Dr. Miles, and carried unanimously to approve the waiver request for the renewal of their license for one (1) year.

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### **APPROVAL REQUEST FOR 3 BOARD MEMBERS TO ATTEND AMERICAN TELEMEDICINE ASSOCIATION (ATA) MEETING**

Motion was made by Dr. Chance, seconded by Dr. Mayo, and carried for the Board to pay the expenses for at least three (3) board members to attend the ATA convention in Minneapolis, MN, May 14 - 17.

### **EXECUTIVE SESSION - PERSONNEL MATTER**

Motion was made by Dr. Crawford, seconded by Dr. Miles, and carried unanimously that the Board enter into Executive Session to discuss a personnel matter.

Upon a motion by Dr. Chance, seconded by Dr. Mayo, and carried the Board came out of Executive Session at which time Dr. Crawford asked Dr. Chance to report on the Board's decision. Dr. Chance advised that a personnel matter was discussed and action was taken.

### **DISCUSS DECISION OF JUDGE'S RULING ON EXPERT WITNESS**

Dr. Craig briefly discussed the information sent to the Board concerning a Florida physician's expert testimony.

Following a brief discussion, motion was made by Dr. Mayo, seconded by Dr. Chance, and carried unanimously that the Board notify the Florida Medical Board where the physician is licensed and advise them of the physician's testimony in Mississippi. Also, they should be advised that the judge found that the plaintiff's medical expert be stricken based on his lack of qualifications and his failure to identify an applicable standard of care or any breach thereto during his testimony.

The Board requested that Mr. Ingram, the Board's Complaint Counsel, draft the letter that will be sent to the Florida Medical Board.

### **PRESENTATION**

Dr. Crawford introduced Justin Stone, Executive Vice President and Chief Legal Officer, and T. Ford Brewer, M.D., Chief Medical Officer, with MD Live based in Ft Lauderdale, FL. Dr. Crawford advised that the Board had invited them here today to make a presentation on telemedicine.

Mr. Stone and Dr. Brewer thanked the Board for the opportunity and presented a very informative slide presentation on how their system works. Both Mr. Stone and Dr. Brewer responded to questions from the board members.

Dr. Crawford thanked them for appearing today.

**RULES, REGULATION & LEGISLATIVE COMMITTEE**

Dr. Mayo advised that the Committee had met earlier today and were proposing rules that would change the mileage for collaborative agreements between physicians and APRNs from 15 to 75. Following a brief discussion, Dr. Mayo advised that the Rules, Regulation and Legislative Committee is making a motion of the Board's intent to adopt the regulation concerning Collaboration with Nurse Practitioners (Part 2630, Chapter 1) which increases the mileage from 15 to 75 miles from the Primary Office of the collaborating physician. Further, the Committee requests that after the twenty-five (25) day public comment period has passed, if there are no issues, that the Board President move forward and final adopt the regulation to expedite the process. The Board unanimously approved the motion. A copy of the proposed regulation is attached hereto and incorporated by reference. The regulation will be filed with the Secretary of State under the Administrative Procedures Act.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 12:15 p.m., with the next meeting scheduled for Thursday, May, 19, 2016.

  
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Virginia M. Crawford, M.D.  
President

Minutes taken and transcribed  
by Sherry H. Pilgrim  
Staff Officer  
March 24, 2016

## RESOLUTION

**WHEREAS**, H. Vann Craig, M.D., Natchez, Mississippi, has faithfully and conscientiously served the Mississippi State Board of Medical Licensure for nine years and four months as Executive Director; and

**WHEREAS**, H. Vann Craig, M.D., discharged his duties with dedication, firmness, and compassion, always striving to implement both the spirit and letter of the Mississippi Medical Practice Act, thereby working for the greater benefit of the Board and citizens of the State of Mississippi; and

**WHEREAS**, during his years of service, H. Vann Craig, M.D., garnered the trust, respect and admiration of the Board staff which he was entrusted to direct and supervise; and

**WHEREAS**, during his years of service, H. Vann Craig, M.D., continually and graciously gave his efforts, time and abilities toward fulfilling his responsibilities as the Executive Director of the Board, always respecting the rights of licensees, patients and others, while serving to protect the public;

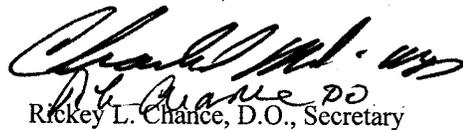
**THEREFORE, BE IT RESOLVED**, that the Mississippi State Board of Medical Licensure, on behalf of the Board and the people of the State of Mississippi, by means of this resolution, expresses to H. Vann Craig, M.D., its gratitude and appreciation for his services during the years he devoted to the Board and the State of Mississippi; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be spread upon the minutes of the Board and a copy be given to H. Vann Craig, M.D., expressing to him the highest esteem of the Board.

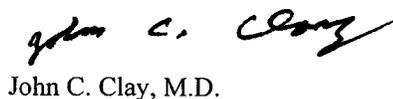
**DATED**, this the 24th Day of March, 2016.

  
Virginia M. Crawford, M.D., President

Charles D. Miles., Vice President

  
Rickey L. Chance, D.O., Secretary

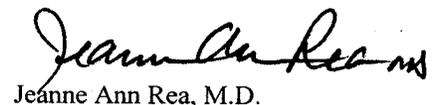
  
Claude D. Brunson, M.D.

  
John C. Clay, M.D.

  
S. Randall Easterling, M.D.

  
Charles K. Lippincott, M.D.

  
William S. Mayo, D.O.

  
Jeanne Ann Rea, M.D.

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

**IN THE MATTER OF THE PHYSICIAN'S LICENSE**

**OF**

**FELICIE GRETCHEN WYATT, M.D.**

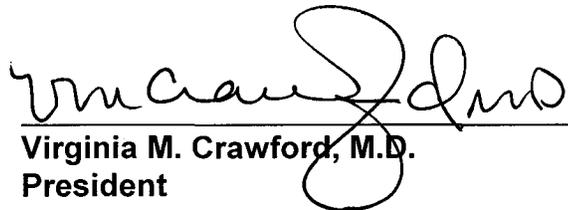
**ORDER OF CONTINUANCE**

**THIS MATTER** came on regularly for hearing on March 24, 2016, before the Mississippi State Board of Medical Licensure in response to a request for continuance of the hearing set for this date filed by Felicie Gretchen Wyatt, M.D., (hereinafter "Licensee"). After consideration of the matter, the Board finds Licensee's motion to be well taken.

**IT IS, THEREFORE, ORDERED**, that this matter is continued until May 19<sup>th</sup>, 2016.

**ORDERED**, this the 24<sup>th</sup> day of March, 2016.

**Mississippi State Board of Medical Licensure**

  
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**Virginia M. Crawford, M.D.**  
**President**

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

**IN THE MATTER OF THE PHYSICIAN'S LICENSE**

**OF**

**RONNIE ALI, D.O.**

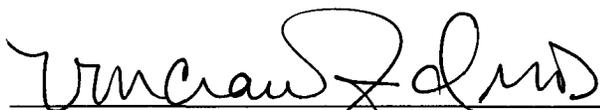
**ORDER OF CONTINUANCE**

**THIS MATTER** came on regularly for hearing on March 24, 2016, before the Mississippi State Board of Medical Licensure in response to a request for continuance of the hearing set for this date filed by Ronnie Ali, D.O., (hereinafter "Licensee") through his attorney, Walter T. Johnson. After consideration of the matter, the Board finds Licensee's motion to be well taken.

**IT IS, THEREFORE, ORDERED**, that this matter is continued until May 19<sup>th</sup>, 2016.

**ORDERED**, this the 24<sup>th</sup> day of March, 2016.

**Mississippi State Board of Medical Licensure**



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**Virginia M. Crawford, M.D.**  
**President**

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

**IN THE MATTER OF THE PHYSICIAN'S LICENSE**

**OF**

**JONATHAN DAVID INGRAM, M.D.**

**ORDER OF CONTINUANCE**

**THIS MATTER** came on regularly for hearing on March 24, 2016, before the Mississippi State Board of Medical Licensure in response to a request for continuance of the hearing set for this date filed by Jonathan David Ingram, M.D., (hereinafter "Licensee"). After consideration of the matter, the Board finds Licensee's motion to be well taken.

**IT IS, THEREFORE, ORDERED**, that this matter is continued until May 19<sup>th</sup> 2016.

**ORDERED**, this the 24<sup>th</sup> day of March, 2016.

**Mississippi State Board of Medical Licensure**

  
\_\_\_\_\_  
**Virginia M. Crawford, M.D.**  
**President**



**EXECUTIVE SESSION**  
**MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE**  
**March 24, 2016**

AGENDA ITEM: Executive Session - Personnel Matter

The Board discussed a personnel matter and action was taken by the Board.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Claude D. Brunson, M.D.				X
Rickey L. Chance, D.O.	X			
John C. Clay, M.D.	X			
Virginia M. Crawford, M.D.	X			
S. Randall Easterling, M.D.	X			
C. Ken Lippincott, M.D.	X			
William S. Mayo, D.O.	X			
Charles D. Miles, M.D..	X			
J. Ann Rea, M.D.				X

With a motion by Dr. Chance, seconded by Dr. Mayo, the Board came out of Executive Session.

  
Virginia M. Crawford, M.D.  
President

**Mississippi Secretary of State**  
700 North Street P. O. Box 136, Jackson, MS 39205-0136

**ADMINISTRATIVE PROCEDURES NOTICE FILING**

AGENCY NAME Board of Medical Licensure		CONTACT PERSON Rhonda Freeman		TELEPHONE NUMBER (601) 987-3079	
ADDRESS 1867 Crane Ridge Drive, Suite 200-B		CITY Jackson		STATE MS	ZIP 39216
EMAIL <a href="mailto:rhonda@msbml.ms.gov">rhonda@msbml.ms.gov</a>	SUBMIT DATE 04-04-16	Name or number of rule(s): Part 2630 Chapter 1: Collaboration with Nurse Practitioners			

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: Part 2630 Chapter 1:

Collaboration with Nurse Practitioners is being amended to change the mileage of a free standing clinic to 75 miles.

Specific legal authority authorizing the promulgation of rule: 73-43-11

List all rules repealed, amended, or suspended by the proposed rule: Part 2630 Chapter 1: Collaboration with Nurse Practitioners

**ORAL PROCEEDING:**

An oral proceeding is scheduled for this rule on Date: \_\_\_\_\_ Time: \_\_\_\_\_ Place: \_\_\_\_\_

Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

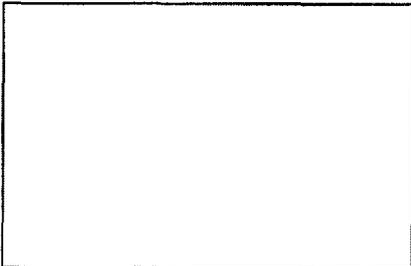
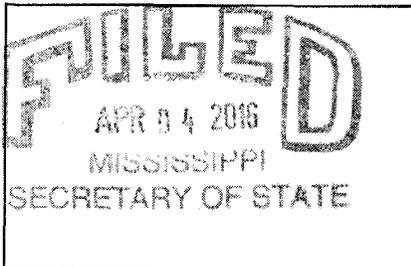
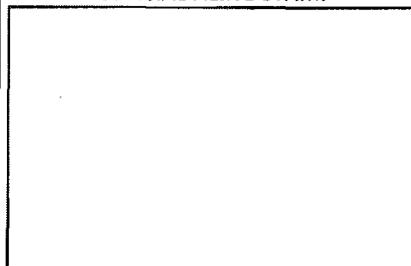
**ECONOMIC IMPACT STATEMENT:**

Economic impact statement not required for this rule.  Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
<input type="checkbox"/> Original filing <input type="checkbox"/> Renewal of effectiveness To be in effect in _____ days Effective date: <input type="checkbox"/> Immediately upon filing <input type="checkbox"/> Other (specify): _____	<b>Action proposed:</b> <input type="checkbox"/> New rule(s) <input checked="" type="checkbox"/> Amendment to existing rule(s) <input type="checkbox"/> Repeal of existing rule(s) <input type="checkbox"/> Adoption by reference <b>Proposed final effective date:</b> <input checked="" type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): _____	<b>Date Proposed Rule Filed:</b> _____ <b>Action taken:</b> <input type="checkbox"/> Adopted with no changes in text <input type="checkbox"/> Adopted with changes <input type="checkbox"/> Adopted by reference <input type="checkbox"/> Withdrawn <input type="checkbox"/> Repeal adopted as proposed <b>Effective date:</b> <input type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): _____

Printed name and Title of person authorized to file rules: Rhonda Freeman, Bureau Director

Signature of person authorized to file rules: *Rhonda Freeman*

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
		
Accepted for filing by	Accepted for filing by <i>#21872</i>	Accepted for filing by

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Part 2630 Collaboration

**Part 2630 Chapter 1: Collaboration with Nurse Practitioners**

*Rule 1.1 Scope.* These rules apply to all individuals licensed to practice medicine or osteopathic medicine in the state of Mississippi.

*Source: Miss. Code Ann. §73-43-11 (1972, as amended).*

*Rule 1.2 Definitions.* For the purpose of Part 2630, Chapter 1 only, the following terms have the meanings indicated:

- A. "Physician" means any person licensed to practice medicine or osteopathic medicine in the state of Mississippi who holds an unrestricted license or whose practice or prescriptive authority is not limited as a result of voluntary surrender or legal/regulatory order.
- B. "Free Standing Clinic" means a clinic or other facility wherein patients are treated by a nurse practitioner, which is more than seventy-five (75) miles away from the primary office of the collaborative/consultative physician. Excluded from this definition are all licensed hospitals, state health department facilities, federally qualified community health clinics and volunteer clinics.
- C. "Primary Office" means the usual practice location of a physician and being the same location reported by that physician to the Mississippi State Board of Medical Licensure and the United States Drug Enforcement Administration.
- D. "Collaborating/Consulting Physician" means a physician who, pursuant to a duly executed protocol has agreed to collaborate/consult with a nurse practitioner.
- E. "Nurse Practitioner" means any person licensed to practice nursing in the state of Mississippi and certified by the Mississippi Board of Nursing to practice in an expanded role as a nurse practitioner.
- F. "Advanced Practice Registered Nurse" includes all nurse practitioners, certified nurse midwives and certified registered nurse anesthetists.

*Source: Miss. Code Ann. §73-43-11 (1972, as amended).*

*Rule 1.3 Board Review.* Physicians who wish to collaborate/consult with a nurse practitioner who plans or anticipates practicing in a free standing clinic, must first (a) appear personally or by telephone before the Mississippi State Board of Medical Licensure and/or the Joint Committee of the Board of Medical Licensure and the Board of Nursing if the Board of Medical Licensure determines that the collaborative/consultative relationship may not be approved absent action from the Joint Committee, (b) present and discuss the protocol, and (c) obtain approval from the Board to act as a collaborating/consulting physician. The facts and matters to be considered by the Board shall include, but are not limited to, how the collaborating/consulting physician and nurse practitioner plan to implement the protocol, the method and manner of collaboration, consultation, and referral.

The requirement for Board appearance and approval set forth in the preceding paragraph also applies to any physician collaborating/consulting with a nurse practitioner who later moves to a free standing clinic under an existing protocol.

Where a nurse practitioner is practicing in a free standing clinic pursuant to an existing protocol as of the effective date of this regulation, the requirements of personal appearance or telephone interview and Board approval set forth in the paragraph above shall not be required until the next succeeding renewal date for said certificate as required by the Mississippi State Board of Nursing.

Where two or more physicians anticipate executing a protocol to collaborate/consult with a nurse practitioner practicing in a free standing clinic, it shall not be necessary that all of the physicians personally appear before the Mississippi State Board of Medical Licensure as required in the preceding paragraph. In this situation, the physician who will bear the primary responsibility for the collaboration/consultation with the nurse practitioner shall make the required personal appearance or telephone interview.

Each collaborative/consultative relationship shall include and implement a formal quality improvement program which shall be maintained on site and shall be available for inspection by representatives of the Mississippi State Board of Medical Licensure. The quality assurance/quality improvement program shall consist of:

- A. Review by collaborative physician of a random sample of charts that represent 10% or 20 charts, whichever is less, of patients seen by the nurse practitioner every month. Charts should represent the variety of patient types seen by the nurse practitioner. Patients that the nurse practitioner and collaborating physician have consulted on during the month will count as one chart review.
- B. The nurse practitioner shall maintain a log of charts reviewed which include the identifier for the patient's charts, reviewers' names, and dates of review.
- C. Each nurse practitioner shall meet face to face with a collaborating physician once per quarter for the purpose of quality assurance and this meeting should be documented.

*Source: Miss. Code Ann. §73-43-11 (1972, as amended).*

*Rule 1.4 Collaborative/Consultative Relationships.* Physicians with collaborative relationships with APRN must ensure backup physician coverage when the primary collaborative physician is unavailable. The backup physician must be on APRN protocol. In the event of death, disability (physical/mental), or relocation, which would result in the APRN not having a collaborative physician, the APRN has the duty to immediately notify the Mississippi Board of Nursing as jointly agreed by the Mississippi Board of Nursing and the Mississippi Board of Medical Licensure. The Nursing Board will then immediately notify the Mississippi State Board of Medical Licensure.

In order that patients may continue to be treated without interruption of care, the APRN may be allowed to continue to practice for a 90-day grace period while the APRN attempts to secure a collaborative physician without such practice being considered the practice of medicine. The Mississippi State Board of Medical Licensure or its designee, will serve as the APRN's collaborative physician with the agreement of the Mississippi Board of Nursing. The Mississippi State Board of Medical Licensure and the Mississippi State Board of Nursing will assist the APRN in their attempt to secure a collaborative physician. If a collaborative physician has not been secured at the end of the 90-day grace period, an additional 90-day extension may be granted by mutual agreement of the Executive Committee of the Mississippi Board of Nursing and the Executive Committee of the Mississippi State Board of Medical Licensure. During this

additional 90-day extension, the above described collaborative agreement will continue. The APRN will not be allowed to practice until the previously described collaborative arrangement with the Mississippi State Board of Medical Licensure is agreed upon.

*Source: Miss. Code Ann. §73-43-11 (1972, as amended).*

*Rule 1.5 Violation of Rules.* Any violation of the rules as enumerated above shall constitute unprofessional conduct in violation of Mississippi Code, Section 73-25-29(8).

*Source: Miss. Code Ann. §73-43-11 (1972, as amended).*

*Rule 1.6 Effective Date of Regulation.* The above rules pertaining to collaborating/consulting physicians shall become effective September 21, 1991.

**Amended May 19, 2005. Amended March 13, 2009. Amended November 19, 2009. Amended July 14, 2011.**

*Source: Miss. Code Ann. §73-43-11 (1972, as amended).*

Part 2630 Collaboration

**Part 2630 Chapter 1: Collaboration with Nurse Practitioners**

*Rule 1.1 Scope.* These rules apply to all individuals licensed to practice medicine or osteopathic medicine in the state of Mississippi.

*Source: Miss. Code Ann. §73-43-11 (1972, as amended).*

*Rule 1.2 Definitions.* For the purpose of Part 2630, Chapter 1 only, the following terms have the meanings indicated:

- A. "Physician" means any person licensed to practice medicine or osteopathic medicine in the state of Mississippi who holds an unrestricted license or whose practice or prescriptive authority is not limited as a result of voluntary surrender or legal/regulatory order.
- B. "Free Standing Clinic" means a clinic or other facility wherein patients are treated by a nurse practitioner, which is more than ~~fifteen (15)~~ seventy-five (75) miles away from the primary office of the collaborative/consultative physician. Excluded from this definition are all licensed hospitals, state health department facilities, federally qualified community health clinics and volunteer clinics.
- C. "Primary Office" means the usual practice location of a physician and being the same location reported by that physician to the Mississippi State Board of Medical Licensure and the United States Drug Enforcement Administration.
- D. "Collaborating/Consulting Physician" means a physician who, pursuant to a duly executed protocol has agreed to collaborate/consult with a nurse practitioner.
- E. "Nurse Practitioner" means any person licensed to practice nursing in the state of Mississippi and certified by the Mississippi Board of Nursing to practice in an expanded role as a nurse practitioner.
- F. "Advanced Practice Registered Nurse" includes all nurse practitioners, certified nurse midwives and certified registered nurse anesthetists.

*Source: Miss. Code Ann. §73-43-11 (1972, as amended).*

*Rule 1.3 Board Review.* Physicians who wish to collaborate/consult with a nurse practitioner who plans or anticipates practicing in a free standing clinic, must first (a) appear personally or by telephone before the Mississippi State Board of Medical Licensure and/or the Joint Committee of the Board of Medical Licensure and the Board of Nursing if the Board of Medical Licensure determines that the collaborative/consultative relationship may not be approved absent action from the Joint Committee, (b) present and discuss the protocol, and (c) obtain approval from the Board to act as a collaborating/consulting physician. The facts and matters to be considered by the Board shall include, but are not limited to, how the collaborating/consulting physician and nurse practitioner plan to implement the protocol, the method and manner of collaboration, consultation, and referral.

The requirement for Board appearance and approval set forth in the preceding paragraph also applies to any physician collaborating/consulting with a nurse practitioner who later moves to a free standing clinic under an existing protocol.

Where a nurse practitioner is practicing in a free standing clinic pursuant to an existing protocol as of the effective date of this regulation, the requirements of personal appearance or telephone interview and Board approval set forth in the paragraph above shall not be required until the next succeeding renewal date for said certificate as required by the Mississippi State Board of Nursing.

Where two or more physicians anticipate executing a protocol to collaborate/consult with a nurse practitioner practicing in a free standing clinic, it shall not be necessary that all of the physicians personally appear before the Mississippi State Board of Medical Licensure as required in the preceding paragraph. In this situation, the physician who will bear the primary responsibility for the collaboration/consultation with the nurse practitioner shall make the required personal appearance or telephone interview.

Each collaborative/consultative relationship shall include and implement a formal quality improvement program which shall be maintained on site and shall be available for inspection by representatives of the Mississippi State Board of Medical Licensure. The quality assurance/quality improvement program shall consist of:

- A. Review by collaborative physician of a random sample of charts that represent 10% or 20 charts, whichever is less, of patients seen by the nurse practitioner every month. Charts should represent the variety of patient types seen by the nurse practitioner. Patients that the nurse practitioner and collaborating physician have consulted on during the month will count as one chart review.
- B. The nurse practitioner shall maintain a log of charts reviewed which include the identifier for the patient's charts, reviewers' names, and dates of review.
- C. Each nurse practitioner shall meet face to face with a collaborating physician once per quarter for the purpose of quality assurance and this meeting should be documented.

*Source: Miss. Code Ann. §73-43-11 (1972, as amended).*

*Rule 1.4 Collaborative/Consultative Relationships.* Physicians with collaborative relationships with APRN must ensure backup physician coverage when the primary collaborative physician is unavailable. The backup physician must be on APRN protocol. In the event of death, disability (physical/mental), or relocation, which would result in the APRN not having a collaborative physician, the APRN has the duty to immediately notify the Mississippi Board of Nursing as jointly agreed by the Mississippi Board of Nursing and the Mississippi Board of Medical Licensure. The Nursing Board will then immediately notify the Mississippi State Board of Medical Licensure.

In order that patients may continue to be treated without interruption of care, the APRN may be allowed to continue to practice for a 90-day grace period while the APRN attempts to secure a collaborative physician without such practice being considered the practice of medicine. The Mississippi State Board of Medical Licensure or its designee, will serve as the APRN's collaborative physician with the agreement of the Mississippi Board of Nursing. The Mississippi State Board of Medical Licensure and the Mississippi State Board of Nursing will assist the APRN in their attempt to secure a collaborative physician. If a collaborative physician has not been secured at the end of the 90-day grace period, an additional 90-day extension may be granted by mutual agreement of the Executive Committee of the Mississippi Board of Nursing and the Executive Committee of the Mississippi State Board of Medical Licensure. During this

additional 90-day extension, the above described collaborative agreement will continue. The APRN will not be allowed to practice until the previously described collaborative arrangement with the Mississippi State Board of Medical Licensure is agreed upon.

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