

**MINUTES  
EXECUTIVE COMMITTEE MEETING  
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE  
SEPTEMBER 16, 2015**

**MEMBERS 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

**ALSO PRESENT:**

H. Vann Craig, M.D., Director  
Stan T. Ingram, Complaint Counsel for the Board  
Ellen O'Neal, Assistant Attorney General  
Rhonda Freeman, Bureau Director, Licensure Division  
Thomas Washington, Bureau Director, Investigative Division  
Leslie Ross, Investigations Supervisor  
Charles Ware, Investigator  
Frances Carrillo, Special Projects Officer, Investigative Division  
Jonathan Dalton, Staff Officer, Investigative Division  
Sherry H. Pilgrim, Staff Officer

The Executive Committee of the Mississippi State Board of Medical Licensure met on Wednesday, September 16, 2015, at 1:00 p.m. in the Board Room of the Office of the Board located at 1867 Crane Ridge Drive, Jackson, Mississippi.

**PERSONAL APPEARANCE BY DONALD CONERLY, M.D., PETAL, MISSISSIPPI  
MEDICAL LICENSE NUMBER 07182**

Dr. Craig advised that Dr. Conerly had been invited to appear before the Executive Committee to discuss his collaborative practice with APRNs, as well as his prescribing issues that were discussed with him during an investigator's visit to his clinic on August 7, 2015. Dr. Craig advised that Dr. Conerly is allowing an agent in his office to use his electronic prescribing system when he is not in the office. Also, a company named Medical Analysis has ordered medications under his license to be dispensed. Dr. Craig stated that on his last licensure renewal that he listed all APRNs as secondary, when it seems that he is the primary physician.

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

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After introductions, Dr. Craig briefly discussed the concerns with Dr. Conerly and advised him that the floor was his to address the issues. Dr. Conerly advised that he was not aware of the prescribing issues and that he had not authorized anyone to perform this task. Dr. Conerly advised that he would check with his office manager and also advised that he currently has three (3) APRNs.

### **STAN INGRAM ARRIVED AT THE MEETING AT 1:20 P.M.**

Dr. Craig advised Dr. Conerly that he needs to have a collaborative agreement with each APRN. The collaborative agreement that had been sent in by Medical Analysis was for the clinic as a whole and not APRN specific. Dr. Conerly advised that he is no longer affiliated with Medical Analysis.

Dr. Conerly advised that the Hattiesburg Clinic staff had completed his renewal application and requested he sign, so they listed the APRNs on his licensure renewal. Dr. Conerly advised that he should have paid closer attention before signing.

Following questions from the Executive Committee, Dr. Conerly was advised that it would be beneficial for him to run a Prescription Monitoring Program (PMP) report so that he is aware of what has been ordered using his name.

Motion was made by Dr. Chance, 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. Miles, seconded by Dr. Crawford, the Executive Committee came out of Executive Session at which time Dr. Crawford asked Dr. Chance to report on their decision. Dr. Chance advised that Dr. Conerly will be issued a non-public letter of concern relative to his collaboration with APRNs, prescriptions written by an agent in his office in his absence, and APRN's dispensing and purchasing medications in his name. The Executive Committee strongly recommends that Dr. Conerly takes board approved courses in prescribing, collaboration, record keeping and ethics. Also, the Executive Committee advised Dr. Conerly that he needs to complete his own licensure renewal. The Executive Committee recommended that Dr. Conerly have no collaborative relationships outside of his practice for a period of one (1) year and should there be further incidences, it will require a hearing before the full Board.

Dr. Crawford thanked Dr. Conerly for appearing today and advised that the Committee's decision will be recommended at the full Board on Thursday, and that Dr. Craig will notify him of the decision.

### **ELLEN O'NEAL EXITED THE MEETING AT 1:55 P.M.**

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**PERSONAL APPEARANCE BY DON A. GIBSON, M.D., RICHLAND, MISSISSIPPI  
MEDICAL LICENSE NUMBER 07980**

Dr. Craig advised that Dr. Gibson had been invited to appear before the Executive Committee to discuss a complaint received by the Board concerning possible HIPAA violations and concerns with his staff's conduct.

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

After introductions, Dr. Craig briefly covered the complaint the Board had received and the incorrect diagnosis entered by his office personnel. Also, Dr. Craig discussed the communication in his office and asked how his staff provides information to him that is received in the office.

Dr. Gibson addressed the Executive Committee and discussed the procedures for returning patient calls, referrals to specialists, as well as the incorrect diagnosis written on a prescription of a patient.

Following several questions from the Executive Committee, motion was made by Dr. Miles, seconded by Dr. Chance 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. Miles, seconded by Dr. Chance, and carried the Executive Committee came out of Executive Session at which time Dr. Crawford asked Dr. Chance to report on their decision. Dr. Chance advised that Dr. Gibson will be issued a non-public letter of concern addressing their concerns regarding his methods of communication within his office and his response to patient inquiries.

Dr. Crawford thanked Dr. Gibson for appearing today and advised that the Executive Committee will make their recommendation to the full Board Thursday, and that Dr. Craig will advise him of the decision.

**PERSONAL APPEARANCE BY SAMUEL CROSBY, M.D., HATTIESBURG,  
MISSISSIPPI MEDICAL LICENSE NUMBER 10258**

Dr. Craig advised that Dr. Crosby had been invited to appear before the Executive Committee to allow him the opportunity to request that he be allowed to collaborate with an APRN working in a pain clinic. Dr. Craig advised that Dr. Crosby's request has previously been denied due to his having been issued a non-reportable letter dated March 23, 2007, and that Dr. Crosby was requesting reconsideration of the

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Committee's decision.

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

Following several questions, Stan Ingram, Complaint Counsel for the Board, advised the Executive Committee that since the letter was not reportable but an agreement, that it would not be considered discipline. There was also some discussion because the non-reportable letter dealt with prescribing to family members.

Dr. Crosby advised that the Hattiesburg Clinic wants to provide safe chronic pain management and has already hired a physician that will be the primary and that he will only be the backup for the two (2) APRNs working in the pain practice. Dr. Crosby advised that he has already taken off work and completed the 100 hours of CME required by the Board so that he meets all of the Board's requirements.

Following several questions, motion was made by Dr. Chance, seconded by Dr. Miles and carried that the Executive Committee enter into Executive Session to discuss Dr. Crosby's reconsideration request.

Upon a motion by Dr. Chance, seconded by Dr. Miles, the Executive Committee came out of Executive Session at which time Dr. Crawford asked Dr. Chance to report on the Board's decision. Dr. Chance advised that the Executive Committee will recommend to the full Board that Dr. Crosby be allowed to be the back-up (secondary) collaborative physician for the APRNs working for Dr. Brevard.

Dr. Crawford thanked Dr. Crosby for appearing today and advised that they will make their recommendation to the full Board on Thursday, and then Dr. Craig will send him a letter advising the decision.

**ELLEN O'NEAL RETURNED AT 3:05 P.M.**

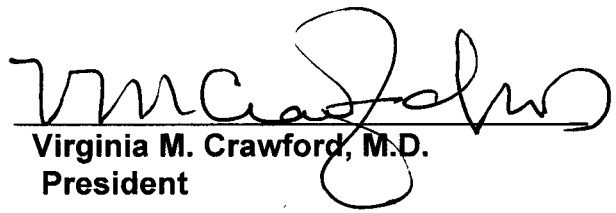
### **REVIEW OF SEPTEMBER 17, 2015, BOARD AGENDA**

Dr. Craig briefly reviewed the agenda for tomorrow's meeting.

### **ADJOURNMENT**

There being no further business, the meeting adjourned at 3:10 P.M.

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Virginia M. Crawford, M.D.  
President

Minutes taken and transcribed  
by Sherry H. Pilgrim  
Staff Officer  
September 16, 2015

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

I, **Donald Conerly, 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 16<sup>th</sup> day of Sept, 2015.

\_\_\_\_\_  
LICENSEE

Witness: \_\_\_\_\_

Reya Scott

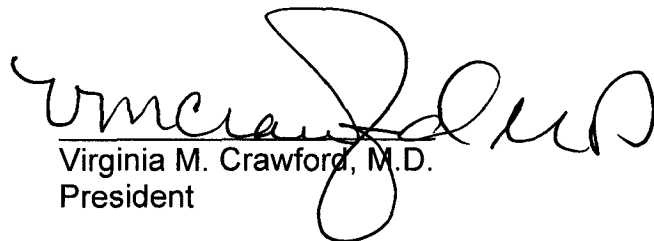
**EXECUTIVE SESSION - EXECUTIVE COMMITTEE**  
**MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE**  
**September 16, 2015**

AGENDA ITEM: Personal appearance by Donald Conerly, M.D.

In a motion by Dr. Crawford, seconded by Dr. Miles, and carried the Executive Committee advised that Dr. Conerly will be issued a Non-Public Letter of Concern. The Executive Committee advised that the concerns deal with: 1) Collaboration with APRNs, 2) Prescriptions written by agent in your office in your absence and, 3) APRNs dispensing and purchasing in your name. The Executive Committee strongly recommends that Dr. Conerly take board approved courses in prescribing, collaboration, record keeping and ethics. Also, Dr. Conerly was advised to fill out his own licensure renewal. The Executive Committee also recommends that Dr. Conerly have no collaborative relationships outside of his primary practice for the period of one (1) year. Further, Dr. Conerly was advised that further incidences will require a hearing before the full Board.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Virginia M. Crawford, M.D.	X			
Charles D. Miles, M.D.	X			
Rickey L. Chance, D.O.	X			

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

  
Virginia M. Crawford, M.D.  
President

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

I, **Don A. Gibson, 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 \_\_\_\_ day of June, 2015.

  
\_\_\_\_\_  
LICENSEE

Witness: \_\_\_\_\_  



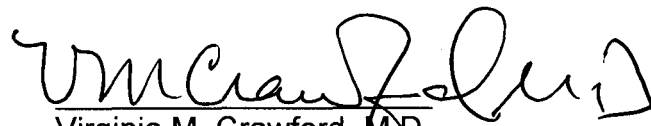

**EXECUTIVE SESSION - EXECUTIVE COMMITTEE  
MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE  
September 16, 2015**

AGENDA ITEM: Personal appearance by Don A. Gibson, M.D.

In a motion by Dr. Crawford, seconded by Dr. Miles, and carried the Executive Committee advised that Dr. Gibson will be issued a Non-Public Letter of Concern. The Executive Committee advised that they have serious concerns regarding methods of communication within his office and his response to patient inquiries.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Virginia M. Crawford, M.D.	X			
Charles D. Miles, M.D.	X			
Rickey L. Chance, D.O.	X			

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

  
Virginia M. Crawford, M.D.  
President

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

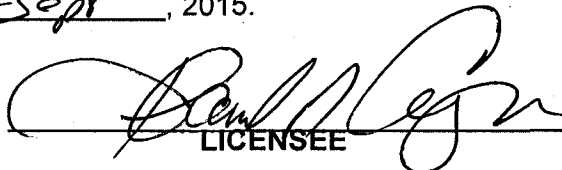
I, **Samuel Crosby, M.D.**, have been asked to appear informally before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter "Board") to discuss issues which may relate to my practice and possible the grounds, if any, for disciplinary action, and possible resolution 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:

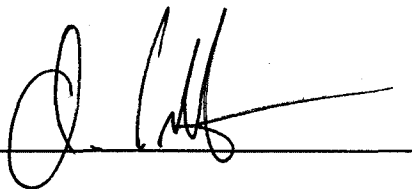
with legal counsel present (name of counsel: \_\_\_\_\_)

without legal counsel present

EXECUTED, this the 16 day of Sept, 2015.

  
\_\_\_\_\_  
LICENSEE

Witness:

  
\_\_\_\_\_

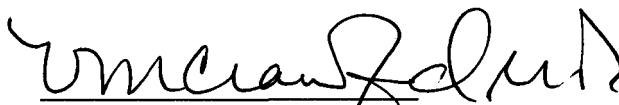
**EXECUTIVE SESSION - EXECUTIVE COMMITTEE**  
**MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE**  
**September 16, 2015**

AGENDA ITEM: Personal appearance by Samuel Crosby, M.D.

In a motion by Dr. Chance, seconded by Dr. Miles, and carried the Executive Committee advised that they will recommend to the full Board that Dr. Crosby be allowed to be the back-up (secondary) collaborative physician for APRNs for Dr. Brevard.

<u>VOTE:</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Virginia M. Crawford, M.D.	X			
Charles D. Miles, M.D.	X			
Rickey L. Chance, D.O.	X			

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

  
Virginia M. Crawford, M.D.  
President