# MINUTES EXECUTIVE COMMITTEE MEETING MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE SEPTEMBER 20, 2017

#### **MEMBERS PRESENT:**

Charles D. Miles, M.D., President Claude D. Brunson, Vice President J. Ann Rea, M.D., Secretary

#### **ALSO PRESENT:**

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

The Executive Committee of the Mississippi State Board of Medical Licensure met on Wednesday, September 20, 2017, 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 STOVER SMITH, M.D. LAUREL, MISSISSIPPI MEDICAL LICENSE NUMBER 14108

Dr. Stover joined the meeting and was not represented by legal counsel. Dr. Stover 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. Stover why he had been invited to appear before the Executive Committee. Dr. Miles asked Dr. Stover to discuss self-prescribing controlled substances while his DEA certificate and medical license was expired.

Dr. Stover thanked the Board for consideration in allowing him to reinstate his medical license based on this meeting. He advised that since he graduated from the University of Mississippi School of Medicine in 1961 he had a long and distinguished medical career in radiology. In 2015, he had closed his post office box and due to the change of his address he did not receive notice that his medical license had expired.

He advised that he had obtained a primary care physician who prescribed testosterone to him which continued through 2016. He denied self-prescribing testosterone. Dr. Smith had discussed with the pharmacist prior to this meeting to obtain documents to support that he did not write the prescriptions for testosterone. The pharmacist could not locate the

documentation and found that he himself had renewed the testosterone prescriptions by signing for it and erroneously believed the pharmacist had written the refills and felt that it was a miscommunication. He also admitted that he did not know that testosterone was a controlled substance. When he closed his practice and terminated his post office box he did not receive notification of the expiration of his medical license or his DEA certificate.

Following several questions from the Executive Committee, motion was made by Dr. Miles, seconded by Dr. Brunson and carried that the Executive Committee enter into Executive Session to discuss a matter that may affect the Licensee.

Upon a motion by Dr. Brunson, seconded by Dr. Miles and carried the Executive Committee came out of Executive Session at which time Dr. Miles asked Dr. Rea to report on its decision. Dr. Rea advised that the Executive Committee will recommend to the Board to allow Dr. Smith to apply for renewal of his medical license. It was strongly recommended that he limit his medical practice within the scope of his training experience.

#### PERSONAL APPEARANCE BY SAYED RAZA, M.D., RIDGELAND, MISSISSIPPI MEDICAL LICENSE NUMBER 15393

Dr. Raza joined the meeting and was represented by legal counsel, Mike Myers. Dr. Raza executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

Following introductions Dr. Miles asked Dr. Raza to discuss certain problems with his psychiatry practice. Dr. Raza advised the Board of the patient treatment process at an addiction facility that he practices. He described this procedure as consulting with the patient in a semi private area. Dr. Raza was questioned whether this method was following HIPAA requirements in insuring the privacy of his patients.

Following a questions, a motion was made by Dr. Miles, seconded by Dr. Brunson and carried that the Executive Committee enter into Executive Session discuss a matter that may affect the Licensee.

Upon a motion by Dr. Brunson, seconded by Dr. Miles and carried the Executive Committee came out of Executive Session at which time Dr. Miles asked Dr. Rea to report on its decision. Dr. Rea advised that the Executive Committee will recommend to the Board that Licensee be presented with a non-disciplinary Consent Order in lieu of a hearing. The Consent Order will require Licensee to attend Board approved courses in Ethics, Boundaries and HIPAA regulations. Deadline for these requirements is 12 months and will be done in addition to the required forty (40) hours of CME.

### PERSONAL APPEARANCE BY MOHAMMAD AHMAD-SABRY, M.D., HATTIESBURG, MISSISSIPPI, MEDICAL LICENSE NUMBER 19115

Dr. Ahmad-Sabry joined the meeting and was represented by legal counsel, John Banahan. Dr. Ahmad-Sabry executed a written agreement for this informal meeting, a copy of which is attached hereto and incorporated by reference.

Following introductions, Dr. Miles asked Dr. Ahmad-Sabry to discuss his CPEP assessment of his pain practice. Alternatives to CPEP recommendations of preceptorship of his practice to alleviate costs were discussed. Discussion continued regarding requirement to continue a pain practice, it being necessary to follow CPEP recommendations or change his practice as an anesthesiologist.

After further discussion and additional questions from the Executive Committee, a motion was made by Dr. Miles, seconded by Dr. Brunson and carried that the Executive Committee enter into Executive Session to discuss a matter that may affect the Licensee.

Upon a motion by Dr. Brunson, seconded by Dr. Miles and carried the Executive Committee came out of Executive Session at which time Dr. Miles asked Dr. Rea to report on its decision. Dr. Rea advised that the Executive Committee will recommend to the Board to remove the current consent order in light of his compliance in taking the CPEP assessment. Licensee will submit a letter of agreement advising the Board of his election not to practice pain management or addiction medicine.

### PERSONAL APPEARANCE BY DWALIA SOUTH, M.D., RIPLEY, MISSISSIPPI MEDICAL LICENSE NUMBER 09188

Dr. South joined the meeting and was represented by legal counsel, Tony Farese. Dr. South 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. South she had been invited to appear before the Executive Committee to briefly summarize her situation. Mr. Farese began and addressed the Board regarding Dr. South's collaborative relationship the APRN in her practice and the difficulties with certain written prescriptions that was co-signed by Dr. South. Dr. South provided additional information regarding the prescriptions she had been asked to co-sign for the APRN.

After further discussion and additional questions from the Executive Committee, a motion was made by Dr. Miles, seconded by Dr. Brunson and carried that the Executive Committee enter into Executive Session to discuss a matter that may affect the Licensee.

Upon a motion by Dr. Miles, seconded by Dr. Rea and carried the Executive Committee came out of Executive Session at which time Dr. Miles asked Dr. Rea to report on its decision. Dr. Rea advised that the Executive Committee will recommend to the Board to write a Letter of Concern and recommend that she attend a prescription writing course.

### PERSONAL APPEARANCE BY KEISHA FLANTROY, M.D., JACKSON, MISSISSIPPI MEDICAL LICENSE NUMBER 21645

Dr. Flantroy joined the meeting and was represented by legal counsel Owens Moss. Dr. Flantroy 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. Flantroy to discuss prescriptions irregularities. Dr. Flantroy briefly discussed the controlled substance prescriptions she had written to family members, her husband and daughter to which she did not document in a patient record. She also prescribed to a sister and herself controlled substance medication without a corresponding medical record.

Dr. Flantroy advised that she has completed CME courses in the proper prescribing of controlled substances, for medical record keeping and Boundaries. She also contacted family to obtain a primary care physician for their healthcare.

After further discussion and additional questions from the Executive Committee, a motion was made by Dr. Brunson, seconded by Dr. Miles and carried that the Executive Committee enter into Executive Session to discuss a matter that may affect the Licensee.

Upon a motion by Dr. Brunson, seconded by Dr. Miles and carried the Executive Committee came out of Executive Session at which time Dr. Miles asked Dr. Rea to report on its decision. Dr. Rea advised that the Executive Committee will recommend to the Board Licensee is to be referred to the Examining Committee because of concerns about uncontrolled pain and use of controlled substances. Licensee shall obtain CME in Ethics.

#### PERSONAL APPEARANCE BY ERIC ZOOG, M.D., VICKSBURG, MISSISSIPPI MEDICAL LICENSE NUMBER 16418

Dr. Zoog joined the meeting and was not represented by legal counsel. Dr. Zoog 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. Zoog why he had been invited to appear before the Executive Committee. Dr. Miles asked Dr. Zoog to discuss his association and management of the Clinic, "In Shape," and the prescription irregularities.

Dr. Zoog advised that he is an employee of this clinic; he is not an owner nor participates in a management position. He described the operation as men's health / wellness for patients to be evaluated for testosterone deficiency and weight loss. Dr. Miles asked Dr. Zoog who administers the injections to the patients. Dr. Zoog advised that normally the patient self-administers at home or the receptionist who is also a trained medical assistant will administer at the clinic. He was not certain if the receptionist is a trained medical assistant.

Dr. Zoog also advised that he has not seen a patient in quite some time and have not been compensated for services in over a year and is now considering dissociating himself from this clinic. He further advised that he did not execute a contract as an employee with the owner.

After further discussion and additional questions from the Executive Committee, a motion was made by Dr. Rea, seconded by Dr. Miles and carried that the Executive Committee enter into Executive Session to discuss a matter that may affect the Licensee.

Upon a motion by Dr. Miles, seconded by Dr. Rea and carried the Executive Committee came out of Executive Session at which time Dr. Miles advised Licensee that the decision of the Executive Committee is to investigate this matter further. The Executive Committee made no recommendation at this time, this matter to be further investigation and the Board and Licensee will be notified.

### PERSONAL APPEARANCE BY BART J. EDMINSTON, M.D., OCEAN SPRINGS, MISSISSIPPI MEDICAL LICENSE NUMBER 20298

Dr. Edminston joined the meeting and was represented by legal counsel Dan Taliaferro. Dr. Edminston 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. Edminston why he had been invited to appear before the Executive Committee. Dr. Miles asked Dr. Edminston to discuss possibly his oversight in reporting action by another jurisdiction on his licensure renewal. He answered "No" to the renewal question, "Have you been the subject of any disciplinary action or investigation by any licensing authority, hospital, institution, society, or other governmental agency?" Dr. Edminston advised that there is a civil forfeiture action that was filed against his Father in Alabama. Dr. Edminston was named in the action but he did not fully read the question and gave an incorrect answer.

Mr. Taliaferro addressed the Board and advised this case was under investigation by the U.S. Attorney's Office in Montgomery, Alabama. The forfeiture complaint is against Dr. Edminston's Father and the U.S. Attorney Office has no plans to charge or seize any assets from Dr. Edminston.

Dr. Miles directed Dr. Edminston to provide a corrected licensure renewal application. Mr. Taliaferro advised that he will leave his information to update the Board on further developments in this matter.

#### Agenda for Board Meeting September 21, 2017

The agenda for the Board Meeting was briefly discussed.

#### **ADJOURNMENT**

There being no further business, the meeting adjourned at 6:08 p.m.

Charles D. Miles, MD

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**President** 

Minutes taken and transcribed By Frances Carrillo Staff Officer September 20, 2017

I, Stover Smith, 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.
- 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:

G. I. G.
with legal counsel present (name of counsel:)
without legal counsel present
EXECUTED, this the 70 day of 54pt, 2017.
LICENSEE: Stover L Smill JA
WITNESS: Juvanas Thomas

AGENDA ITEM: Personal appearance by Stover Smith, M.D.

In a motion made by Dr. Brunson seconded by Dr. Miles, and carried moved to allow Dr. Smith to apply for renewal of his medical license. It was strongly recommended that he limit his medical practice within the scope of his training and experience.

<u>VOTE</u> :	<u>FOR</u>	<u>AGAINST</u>	ABSTAIN	ABSENT
Charles D. Miles, M.D. J. Ann Rea, M.D. Claude D. Brunson, M.D.	X X X			

With a motion by Dr. Brunson, seconded by Dr. Miles, the Board came out of Executive Session.

Charles D. Miles, M.D.

- I, Sayed Raza, 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:
  - 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.
  - 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: Mi	(+ myers)
without legal counsel prese	nt	
EXECUTED, this the 20 day of	<i>SPF</i> , 2017.	

WITNESS

AGENDA ITEM: Personal appearance by Sayed Raza, M.D.

In a motion made by Dr. Brunson seconded by Dr. Miles, and carried moved a recommendation to the full board that the licensee be presented with a consent order in lieu of a hearing. The consent order will require the licensee to attend board approved courses in ethics, boundaries and HIPAA regulations. Deadline for these requirements is 12 months and will be done in addition to the required 40 hours of CME.

VOTE:	<u>FOR</u>	AGAINST	<u>ABSTAIN</u>	ABSENT
Charles D. Miles, M.D.	X			
J. Ann Rea, M.D.	X			
Claude D. Brunson, M.D.	Х			

With a motion by Dr. Brunson, seconded by Dr. Miles, the Board came out of Executive Session.

Charles D. Miles, M.D.

I, Mohammad 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:

- 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: 10hm 15 cm ah cm).
without legal counsel present
EXECUTED, this the 20 day of Sept., 2017.
LICENSEE:
WITNESS: MISSIF

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

In a motion made by Dr. Brunson seconded by Dr. Miles, and carried moved a recommendation to the full board and that the current consent order be removed in light of his compliance in taking the CPEP assessment. The licensee will submit a letter of agreement advising the board of his election not to practice medical pain management or addiction medicine.

VOTE:	<u>FOR</u>	AGAINST	<u>ABSTAIN</u>	ABSENT
Charles D. Miles, M.D.	X			
J. Ann Rea, M.D.	X			
Claude D. Brunson, M.D.	Χ			

With a motion by Dr. Brunson, seconded by Dr. Miles, the Board came out of Executive Session.

Charles D. Miles, M.D.

- I, Dwalia South, 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:
  - 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: Tony toreso
	without legal counsel present
EXEC	UTED, this the 20 day of September, 2017.

LICENSEE: Devalue Aorth, MU

WITNESS:

AGENDA ITEM: Personal appearance by Dwalia South, M.D.

In a motion made by Dr. Brunson seconded by Dr. Miles, and carried moved a recommendation to the full board to write the licensee a letter of concern and recommend that she attend a prescription writing course.

VOTE:	<u>FOR</u>	<u>AGAINST</u>	ABSTAIN	ABSENT
Charles D. Miles, M.D.	х			
J. Ann Rea, M.D.	X			
Claude D. Brunson, M.D.	X			

With a motion by Dr. Brunson, seconded by Dr. Miles, the Board came out of Executive Session.

Charles D. Miles, M.D.

I, Kesha Flantroy, 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:

- 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.
- 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	
<b>EXECUTED</b> , this the day of Sept., 2017.	
LICENSEE: KStarfin	

WITNESS

AGENDA ITEM: Personal appearance by Kesha Flantroy, M.D.

In a motion made by Dr. Brunson seconded by Dr. Miles, and carried moved a recommendation to the full board to be referred to the examining committee because of concerns about uncontrolled pain and use of controlled substances. The licensee will also attend a course in ethics.

<u>VOTE</u> :	<u>FOR</u>	<u>AGAINST</u>	ABSTAIN	ABSENT
Charles D. Miles, M.D.	X X			
J. Ann Rea, M.D. Claude D. Brunson, M.D.	X	E <sup>1</sup>		

With a motion by Dr. Brunson, seconded by Dr. Miles, the Board came out of Executive Session.

Charles D. Miles, M.D.

I, Eric Zoog, 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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- 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 prese	ent (name of counsel:)
<u></u> without legal counsel pr	resent
EXECUTED, this the 20 day of _	Sylven . 2017.
LICENSEE	Jan Jan

WITNESS:

AGENDA ITEM: Personal appearance by Eric Zoog, M.D.

No recommendation at this time.

<u>VOTE</u> ;	<u>FOR</u>	<u>AGAINST</u>	ABSTAIN	ABSENT
Charles D. Miles, M.D. J. Ann Rea, M.D. Claude D. Brunson, M.D.	X X X			

With a motion by Dr. Brunson, seconded by Dr. Miles, the Board came out of Executive Session.

Charles D. Miles, M.D.

I, Bart J. Edminston, 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:

- 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: Dan Tallate (10)
without legal counsel present
EXECUTED, this the 20 day of September 2017.

LICENSEE;

WITNESS:

AGENDA ITEM: Personal appearance by Bart J. Edminston, M.D.

No action.

VOTE:	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>	ABSENT
Charles D. Miles, M.D.	Х			
J. Ann Rea, M.D.	X			
Claude D. Brunson, M.D.	X			

With a motion by Dr. Brunson, seconded by Dr. Miles, the Board came out of Executive Session.

Charles D. Miles, M.D.