



MSBML Newsletter

Highlights of the MS State Board of Medical Licensure's September Meeting

The Mississippi State Board of Medical Licensure held its regular meeting on September 16-17, 2020. Members gathered at the Westin Hotel in Downtown Jackson so appropriate social distancing could be observed during the proceedings.

Members of the Board are: Ann Rea, M.D., President; William D. McClendon, M.D., Vice President; Michelle Y. Owens, M.D., Secretary; Charles D. Miles, M.D.; Charles Kenneth "Ken" Lippincot, M.D., DLFAPA; Allen Gersh, M.D.; Kirk L. Kinard, D.O.; Daniel Paul Edney, M.D.; Thomas Edwards Joiner, M.D.; Wesley Breland, Consumer Health Ad Hoc Committee Member; Major General (Ret) Erik Hearon, Consumer Health Ad Hoc Committee Member; Koomarie "Shoba" Gaymes, Consumer Health Ad Hoc Committee Member.

During the two days of board work, many decisions were made that affect all licensees. A detailed list of actions can be found on page three of this newsletter.

President Ann Rea presided over the meetings, and video summaries are available for review.



MSBML Executive Committee Meeting – September 16, 2020

<https://vimeo.com/458205751>

<https://youtu.be/zCAtkj5zDoY>

Rules, Regulations & Legislative Committee Meeting – September 16, 2020

<https://vimeo.com/458198237>

https://youtu.be/cDN7L_7YSh8

Hospice Ad Hoc Committee – September 30, 2020

<https://vimeo.com/463997416>

<https://youtu.be/Zn37a2h2IWQ>

Know Your Board Members

Dr. Michelle Owens is Secretary of the MS State Board of Medical Licensure and Editor of the MSBML Newsletter. Owens received her undergraduate education from the University of Alabama at Birmingham before attending medical school at the Medical College of Virginia. She completed her OB-GYN residency at Johns Hopkins Hospital and MFM Fellowship at the University of MS Medical Center.



Dr. Owens is the Professor and Chief, division of Maternal Fetal Medicine and Director, MFM Fellowship at the University of MS Medical Center. She enjoys being an advocate for women's health, and helping educate the next generation of healthcare professionals. She and her husband, Jody Owens, II, are the proud parents of three children; Tripp, Joshua and Taylor.

The retired athlete and sports fan loves music and traveling. When time permits, she can be found in her kitchen whipping up something special or curled up with a good book.

Follow us on social media!



Facebook - MS State Board of Medical Licensure

Instagram - msboardofmedical

Dr. Kenneth Cleveland, Executive Director



Dr. Cleveland is a graduate of Birmingham Southern College and the University of Alabama School of Medicine. He and his wife, Dr. Nikki Duncan Cleveland, have three daughters and they all attend Jackson Prep. Their family is a member of Northminster Baptist Church in Jackson. Like most Southerners, they love college football!

"I feel very strongly that we are a big part of improving the healthcare of the citizens of Mississippi. I am committed to utilizing this talented staff and board to license efficiently and regulate fairly those professionals under our charge." - Dr. Ken Cleveland

Proceedings from the September 2020 MS State Board of Medical Licensure Meeting

Board Agenda can be viewed [here](#).

Board Actions:

[Daniel Canchola, MD](#)

Licensee executed a Consent Order accepted by the Board, suspending his license subject to terms and conditions.

[Dominic Trinca, MD](#)

Request for reinstatement is denied.

[Thomas J. Seglio, MD](#)

Licensee's petition for the removal of all restrictions is granted. Licensee now holds an unrestricted medical license.



MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

PROCLAMATION

WHEREAS, on March 14, 2020, pursuant to the Constitution of the State of Mississippi and Miss Code Ann §33-15-11(b)(17), the Governor of the State of Mississippi issued a Proclamation declaring that a State of Emergency exists in the State of Mississippi as a result of the outbreak of COVID-19; and

WHEREAS, in order to secure emergency / rapid medical licensing early in the pandemic and in anticipation of a possible surge and stress on the Mississippi healthcare system, the Mississippi State Board of Medical Licensure (hereinafter "Board") adopted a series of proclamations; and clarifying that as to in-state physicians, when practicing telemedicine, the requirement for a pre-existing doctor-patient relationship does not apply; and

WHEREAS, on March 15, 2020, the Mississippi State Board of Medical Licensure issued a Proclamation announcing that it would not enforce any statute, rule or regulation requiring physicians to personally examine patients prior to the issuance of a prescription or order for the administration of medication, including control substances, all in an effort to encourage the use of telemedicine during the state of emergency; and

WHEREAS, on March 24, 2020, the Board issued an Amended Proclamation clarifying that until action is taken to lift the emergency, out-of-state physicians may utilize telemedicine when treating patients in Mississippi with whom they already have a pre-existing doctor-patient relationship, without the necessity of securing a license to practice medicine in the state, provided the out-of-state physician holds an unrestricted license to practice medicine in the state in which the physician practices and currently is not the subject of an investigation or disciplinary proceeding and so advises the Board; and

WHEREAS, on April 5, 2020, the Board issued a Supplemental Proclamation further clarifying that the waiver of all Mississippi licensing requirements for out-of-state physicians or physician assistants pertained solely to those whose specialty services such as pulmonologists and nephrologists, are determined to be necessary by the Mississippi Department of Health ("MSDH"); and

WHEREAS, the aforementioned proclamations were designed to suspend certain regulatory requirements in order to give the MSDH the ability and flexibility to promptly and urgently call for specialties needed to cope with COVID on a temporary emergency basis; and

WHEREAS, it has now been over six (6) months and the Mississippi healthcare system has managed without the need for further emergency temporary licensing; and

WHEREAS, in consultation with State Health Officer, there is now no longer a need for any additional or new emergency temporary licensed out-of-state physicians pursuant to the emergency / urgent procedures established by the aforementioned proclamations; and

WHEREAS, the Board recognizes the continuing importance for Mississippi patients to have continued access to their physicians with whom they have an established a doctor / patient relationship; and

WHEREAS, with no ongoing urgent need for emergency / temporary licensing, the importance of resuming established regulatory licensing procedures is needed to protect Mississippi patients and ensure safety and quality of care that the Board is charged with maintaining; and

WHEREAS, to avoid disruption of care, the Board recognizes the need to allow out-of-state physicians currently holding emergency / temporary licenses pursuant to the previous Proclamations adequate time to submit, and apply for and obtain full unrestricted licensure.

NOW THEREFORE, effective immediately, the previous COVID proclamations dated March 15, 2020, March 24, 2020, and April 5, 2020, are hereby superseded by this Proclamation and are rescinded to the extent consistent with this Proclamation. Regular licensure procedures shall be resumed.

FURTHER, as to those out-of-state physicians who currently hold an emergency license to treat Mississippi patients via telemedicine, such emergency licenses shall remain in full force and effect until January 31, 2021. Those out-of-state physicians holding temporary / emergency licenses wishing to continue to provide care must submit an application for a full unrestricted license on or before December 31, 2020. In the event an applicant is unable to complete the licensure process on or before January 31, 2021, for reasons beyond the applicant's control, the Executive Director of the Board shall have the authority to extend the deadline on a case by case basis.

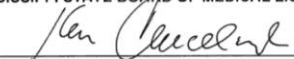
FURTHER, as to those physicians currently holding a valid unrestricted license to practice medicine in the state of Mississippi, the emergency telemedicine waiver of the requirement of pre-existing doctor-patient relationship shall remain until further notice.

FURTHER, as to those physicians currently holding a valid unrestricted license to practice medicine in the state of Mississippi, the emergency telemedicine waiver of the prohibition against prescribing controlled substances, unless otherwise prohibited by law, shall remain until further notice.

FURTHER, the Executive Director of the Board shall provide notice of this action to all current holders of licenses by email and on the Board's website.

SO ORDERED AND APPROVED by the Mississippi State Board of Medical Licensure, this is the 26th day of October, 2020.

MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

By: 
Kenfeth Cleveland, M.D., Executive Director



Upcoming Meetings

November 18-19, 2020

January 20-21, 2021

Due to health and safety restrictions related to COVID-19, the public is not allowed to attend meetings in person. Zoom links are provided prior to the meetings on the Board's website: www.msbl.ms.gov.

From the desk of Dr. Kenneth Cleveland, MSBML Executive Director

On March 14, 2020, Governor Tate Reeves declared that a State of Emergency existed in Mississippi. At MSBML, this was an expected declaration as the first case of COVID-19 had reached Mississippi a few days earlier. The emergency lockdown had begun, and citizens were instructed to stay at home except for necessities such as food. Businesses throughout Mississippi were closing with only "essential businesses" remaining open. This included the closing of medical clinics to include routine office visits.

Immediately, we knew we had to provide a method for patients to have visits with their doctors, whether the doctors were in state or out of state. Hence, on March 15, 2020, the first of three emergency proclamations was passed in a telephonic Board meeting. This proclamation allowed for a suspension of telemedicine regulations for licensees with an unrestricted license. Additionally, a pathway for emergency licensure for out-of-state physicians with existing Mississippi patients was established.

Although it was always the intention of the Board for only out-of-state physicians with established relationships with Mississippi patients to qualify, it was not clearly spelled out in the first proclamation. This information was listed only on the application that was posted on the website. Only after receiving almost 1,200 applications over a single weekend from physicians as far away as California, did we realize the confusion. Therefore, the second proclamation was passed to clarify the requirement for an existing relationship to obtain an emergency license. This proclamation amendment was passed on March 24, 2020.

During a meeting of the Governor's task force for the pandemic, a concern was raised that if we had an outbreak among physicians, we could potentially fall short on manpower to care for ill patients. What would happen if all the critical care physicians at a hospital were diagnosed with COVID-19? In response to that concern, we passed the third proclamation. This proclamation further clarified that if a specialty, such as pulmonology, was in critical need, the State Health Officer would designate that specialty as critical and we would grant emergency licensure for those specialists without the necessity of a pre-existing patient relationship. This was passed on April 5, 2020, and thankfully there has not been a need to utilize it at this time.

Obviously, we are still fighting this pandemic, but please rest assured that as the conditions that are presented to us change, MSBML will change with them.