



Tennessee Board of Medical Examiners - Summary Suspension Panel Informal Hearing

Monday, December 18, 2023

MINUTES

A panel of the Tennessee Board of Medical Examiners was called to order at 3:02 p.m. in the Iris Room, Ground Floor, Metro Center Complex, 665 Mainstream Drive, Nashville, Tennessee 37243 by Stacy Tarr, Administrative Director.

Board members present: Stephen Loyd, MD, Vice President
 Michael Bittel, Consumer Member
 Deborah Christiansen, MD
 John McGraw, MD, Panel Chair

Staff present: Brittani Kendrick, JD, Office of General Counsel
 David Silvus, JD, Office of General Counsel
 Candace Meagan Carter, JD, Office of General Counsel
 Angela Lawrence, HRB Executive Director
 Stacy Tarr, BME Executive Director
 Brandi Allocco, Administrative Director
 Jeffrin Zachariah, Board Administrator
 Samantha Green, Board Administrator

Ms. Stacy Tarr made opening remarks to the Board and provided an overview of the requirements for a special meeting by teleconference. All of the requirements were satisfied. The electronic meeting was scheduled for the purpose of the Informal Hearing in the matter of the Summary Suspension of Misty Allen, MD. The teleconference was then turned over to Brittani Kendrick, Senior Associate General Counsel, who is representing the State in this matter. Ms. Kendrick addressed the panel with general comments on the process for the informal hearing. Dr. Allen appeared before the Board, along with her legal representative, Mr. CJ Gideon. Ms. Kendrick made opening remarks and presented evidence in the case prior to turning the hearing over to Dr. Misty Allen's legal representative, Mr. CJ Gideon. Mr. Gideon presented evidence to the panel of the Board and requested the introduction of witness testimony to the panel. Dr. John McGraw, chair of the panel, deferred to the other panel members. The panel members asked for clarification from the Board's advisory attorney, Mr. David Silvus. Dr. Loyd motions to hear from Ms. Erica McKnight, LPN, witness for the Respondent. Mr. Michael Bittel seconds the motion, and the motion passes. Ms. Mcknight was sworn in. Mr. CJ Gideon questioned the witness, then turned questioning over to Ms. Kendrick. Ms. Kendrick questioned the witness, then turned questioning

over to Dr. McGraw as the panel chair. The panel questioned the witness regarding her statements. Dr. McGraw then turned the meeting back over to Mr. CJ Gideon who called upon Dr. Misty Allen to give testimony. Mr. Gideon questioned Dr. Allen. The meeting was then turned over to Ms. Kendrick for further questioning of Dr. Allen. Ms. Kendrick turned the questioning back to the panel. Dr. Loyd followed up on statements Dr. Allen made and questioned Dr. Allen on evidence presented to the panel prior to the meeting. Dr. Loyd requested Dr. Baron speak on behalf of Dr. Allen based on her evaluation with the Tennessee Medical Foundation. Dr. Christiansen asked Dr. Allen about the timeline of her employment at the clinic and her reason for leaving. Mr. Bittel asked about the timeline for the date of the incident at the clinic and followed up on evidence presented to the panel prior to the meeting. Dr. McGraw questioned Dr. Allen on her statements. Dr. Loyd motions to hear from Ms. Harlie Edwards, LPN, witness for the Respondent. Mr. Michael Bittel seconds the motion, and the motion passes with Dr. Christiansen opposed. Ms. Edwards gave her testimony. Dr. McGraw questioned Ms. Edwards on evidence presented prior to the meeting. Mr. CJ Gideon presented closing arguments and requested the panel lift the suspension of Dr. Allen's license. Ms. Brittani Kendrick presented her closing arguments and requested the panel uphold the suspension of the license. Mr. David Silvus advised the panel on actions they can take at this juncture. The panel deliberated on whether or not to uphold the summary suspension at this time.

Dr. Loyd motioned to reject the Summary Suspension, and Mr. Bittel seconded the motion. A roll call vote was conducted by Dr. McGraw, which passed unanimously. Dr. McGraw delegated the signing of the order to Dr. Loyd.

This concludes the Board of Medical Examiners panel.