

**GEORGIA COMPOSITE  
MEDICAL BOARD**  
BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD

STATE OF GEORGIA    MAY 06 2010

IN THE MATTER OF:

**DOCKET NUMBER**

**ANTONIO LUIS, MD**  
License No. 23759  
Respondent

Docket # 2005-0074

**PUBLIC ORDER TERMINATING PROBATION**

**WHEREAS**, the Georgia Composite Medical Board entered a Public Consent Order (“Order”) in the above-styled matter on October 6, 2005 which placed on probation Respondent’s license to practice medicine in the State of Georgia, and

**WHEREAS**, Respondent has petitioned to have the probation terminated, and

**WHEREAS**, the Board has determined that the Respondent has complied with all the terms and conditions of the Order.

**NOW, THEREFORE, IT IS HEREBY ORDERED** that the probation of Respondent’s license to practice medicine in the State of Georgia be **TERMINATED**.

**SO ORDERED THIS 7<sup>th</sup> DAY OF MAY 2010**

GEORGIA COMPOSITE MEDICAL BOARD

BY: \_\_\_\_\_

John T. Perry, MD  
Chairperson

ATTEST: \_\_\_\_\_

LASHARN HUGHES  
Executive Director

(BOARD SEAL)

**GEORGIA COMPOSITE  
MEDICAL BOARD**

BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD

STATE OF GEORGIA

MAR 04 2010

IN THE MATTER OF:

ANTONIO LUIS, M.D.,  
License No. 23759

Respondent.

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**DOCKET NUMBER**

~~DOCKET NO. 20050074~~

**SECOND AMENDMENT TO PUBLIC CONSENT ORDER**

WHEREAS, on or about October 6, 2005, Antonio Luis, M.D. ("Respondent") entered into a Public Consent Order with the Georgia Composite Medical Board ("Board"), Docket Number 20050074, which lifted the suspension of his medical license, placed his license on probation with terms and conditions including restrictions on his DEA utilization; and

WHEREAS, on or about May 9, 2008, the Board issued an Amendment to Public Consent Order that deleted a limitation on work hours; allowed the treatment of chemically dependent patients; and lifted the prohibition on prescribing Schedule II controlled substances with conditions; and

WHEREAS, on or about January 25, 2010 the Respondent petitioned the Board to further amend the Public Consent Order to permit the use of an electronic prescription system.

NOW THEREFORE, the Board hereby amends the Public Consent Order as follows:

1.

Order, Paragraph 1(j) on Page 6 of the Public Consent Order is hereby deleted and a new Paragraph 1(j) inserted in its place as follows:

“(j) DEA Utilization. Until further order of the Board, Respondent shall adhere to the following protocol in regard to the use of his DEA permit:

(1) For all controlled substances as defined by the Federal or Georgia Controlled Substances Act prescribed by Respondent during the probation period, Respondent shall utilize the system outlined in paragraph (m)(1)(a) if Respondent writes prescriptions or (m)(1)(b) if Respondent utilizes an electronic prescription system:

(a) Triplicate Prescriptions. Respondent shall utilize a triplicate prescription system such that each prescription for such a controlled substance written by Respondent shall be sequentially numbered and copies distributed as follows: original to patient, one copy to the Board, and one copy to the patient’s chart. Respondent shall not begin renumbering when he reaches 1000, but shall continue to number sequentially. The copies for the Board shall be mailed or delivered to the Board by Respondent once per quarter. A copy of Respondent’s dispensing records shall be provided to the Board upon request for all controlled substances dispensed by him or on his order; or

(b) Electronic Prescriptions. If Respondent is employed by a medical practice or facility that utilizes an electronic medical records system and no prescriptions are written outside of the electronic system, on a quarterly basis Respondent shall submit or cause to be submitted to the Board a certified, printed copy of all prescriptions for controlled substances prescribed by Respondent. If Respondent dispenses any controlled substances, a copy of Respondent’s dispensing records shall be provided to the Board upon request for all controlled substances dispensed by him or on his order. If Respondent changes his employment and begins working at a location where there is no electronic prescription system, Respondent shall notify the Board in

writing and shall utilize a Board approved triplicate prescription system as set forth in paragraph (a) immediately above.

2) Prescription Log. Respondent shall personally maintain for inspection a contemporaneous log (separate from his clinical records or the clinical records of other health care providers) of all Schedule II, III, IV and V controlled substances and dangerous drugs prescribed, administered, dispensed, or ordered by him. The log shall include the date, patient name, drug, strength, quantity, and refill status, on a form approved by the Board. The log shall also include the diagnosis and the reasons for prescribing, administering, dispensing, or ordering each drug. The Board shall be authorized to inspect Respondent's prescription log. If Respondent's prescription log fails to comply with the requirements of this Consent Order, the Board is authorized to summarily suspend Respondent's license, pending a hearing.

3) Record Keeping. Prior to prescribing, administering, ordering or dispensing any Schedule II, III, IV and V controlled substances and/or dangerous drugs, Respondent shall detail in full, in the patient's file, the examination performed and diagnosis reached. Respondent shall specifically record all physical data of the patient and detail the exact nature of Respondent's evaluation of the patient. In addition to this requirement, Respondent agrees to comply with all record keeping requirements, as directed by the Board."

2.

Except as provided herein, Respondent's license shall remain on probation and subject to all of the remaining terms and conditions as set forth in the Public Consent Order of October 6, 2005 and amendments thereto. A violation of this Amendment to Public Consent Order shall be

considered a violation of a lawful order of the Board as if it were a violation of October 6, 2005 Consent Order and any amendments thereto.

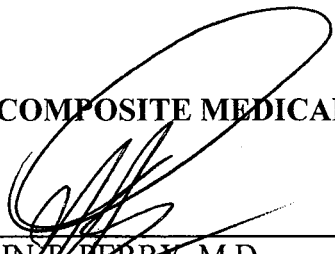
3.

This Amendment to Public Consent Order shall become effective upon its acceptance by the Georgia Composite Medical Board and its docketing by the Executive Director of the Board.


Accepted this 4<sup>th</sup> day of March, 2010.

**GEORGIA COMPOSITE MEDICAL BOARD**

BY:

  
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JOHN V. PERRY, M.D.  
Chairperson

ATTEST:

  
\_\_\_\_\_  
LASHARN HUGHES  
Executive Director

(BOARD SEAL)

BEFORE THE COMPOSITE STATE BOARD OF MEDICAL EXAMINERS

STATE OF GEORGIA

Composite State Board  
of Medical Examiners

MAY 09 2008

IN THE MATTER OF:

ANTONIO LUIS, M.D.,  
License No. 23759

Respondent.

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DOCKET NUMBER  
DOCKET NO. 20050074

AMENDMENT TO PUBLIC CONSENT ORDER

WHEREAS, on or about October 6, 2005, Antonio Luis, M.D. ("Respondent") entered into a Public Consent Order with the Composite State Board of Medical Examiners ("Board"), Docket Number 20050074, which lifted the suspension of his medical license, placed his license on probation with terms and conditions including restrictions on his DEA utilization; and

WHEREAS, on or about March 6, 2008, Respondent petitioned the Board to amend his Public Consent Order by lifting certain restrictions thereby allowing him to treat chemically dependent patients; prescribe Schedule II medications; and work over 45 hours per week; and

WHEREAS, in support of his petition, Respondent submitted letters from his monitoring and supervising physicians in support of Respondent's petition to lift certain restrictions.

NOW THEREFORE, the Board hereby amends the Public Consent Order as follows:

1.

Order, Paragraph 1(c) on Page 3 of the Public Consent Order, restricting Respondent from treating chemically dependent patients for a period of one year from the effective date of the October 2005 Order, is hereby deleted.

2.

Order, Paragraph 1(d) on Page 4 of the Public Consent Order, restricting Respondent from working no more than 30 hours per week for a period of at least 6 months, which provision was modified to 45 hours per week in or about June 2006, is hereby deleted.

3.

Order, Paragraph 1(j) on Page 6 of the Public Consent Order is hereby deleted and a new Paragraph 1(j) inserted in its place as follows:

“(j) DEA Restriction. Respondent may possess a DEA Certificate of Registration authorizing him to prescribe, administer and dispense Schedule II, III, IV and V controlled substances and dangerous drugs. Respondent’s DEA use shall be governed by the following conditions:

1) Triplicate Prescriptions. Respondent shall utilize a triplicate prescriptions system for all controlled substances and/or dangerous drugs, as defined by the Federal or Georgia Controlled Substances Act, prescribed by him for consumption off the institutional premises. Each prescription for such a controlled substance and/or dangerous drug written by Respondent shall be sequentially numbered and the copies distributed as follows: original to patient, one copy to the Board, and one copy to the patient’s chart. Respondent shall not begin renumbering when he reaches 1000, but shall continue to number sequentially. The copies for the Board shall be mailed or delivered to the Board by Respondent once per quarter. A copy of Respondent’s dispensing records shall be provided to the Board upon request for all controlled substances and/or dangerous drugs dispensed by him or on his order.

2) Prescription Log. Respondent shall personally maintain for inspection a contemporaneous log (separate from his clinical records or the clinical records of other health care providers) of all Schedule II, III, IV and V controlled substances and dangerous drugs prescribed, administered, dispensed, or ordered by him. The log shall include the date, patient name, drug, strength, quantity, and refill status, on a form approved by the Board. The log shall also include the diagnosis and the reasons for prescribing, administering, dispensing, or ordering each drug. The Board shall be authorized to inspect Respondent's prescription log. If Respondent's prescription log fails to comply with the requirements of this Consent Order, the Board is authorized to summarily suspend Respondent's license, pending a hearing.

3) Record Keeping. Prior to prescribing, administering, ordering or dispensing any Schedule II, III, IV and V controlled substances and/or dangerous drugs, Respondent shall detail in full, in the patient's file, the examination performed and diagnosis reached. Respondent shall specifically record all physical data of the patient and detail the exact nature of Respondent's evaluation of the patient. In addition to this requirement, Respondent agrees to comply with all record keeping requirements, as directed by the Board."

4.

Except as provided herein, Respondent's license shall remain on probation and subject to all of the remaining terms and conditions as set forth in the Public Consent Order of October 6, 2005. A violation of this Amendment to Public Consent Order shall be considered a violation of a lawful order of the Board as if it were a violation of October 6, 2005 Consent Order.



5.

This Amendment to Public Consent Order shall become effective upon its acceptance by the Composite State Board of Medical Examiners and its docketing by the Executive Director of the Board.

Accepted this 9<sup>th</sup> day of May, 2008.

COMPOSITE STATE BOARD OF MEDICAL EXAMINERS

BY: E. R. Cheeks, M.D.  
EDDIE R. CHEEKS, M.D.  
President

(BOARD SEAL)

ATTEST: Lasharn Hughes  
LASHARN HUGHES  
Executive Director

BEFORE THE COMPOSITE STATE BOARD OF MEDICAL EXAMINERS  
Composite State Board  
of Medical Examiners

STATE OF GEORGIA

OCT 06 2005

IN THE MATTER OF:

ANTONIO LUIS, M.D.  
License No. 23759

Respondent.

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\* DOCKET NO.  
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DOCKET NUMBER  
20050074

**PUBLIC CONSENT ORDER LIFTING SUSPENSION**

By order of the Composite State Board of Medical Examiners ("Board"), the following disposition of this matter replaces and supersedes any and all prior orders of the Board relative to the Respondent, including, but not limited to, the Public Consent Order in which Respondent agreed that his license be suspended indefinitely In the Matter of Antonio Luis, M.D., Docket No. 20050074, effective November 29, 2004, and is entered pursuant to the provisions of O.C.G.A. § 50-13-13(a)(4). The Board, in its discretion, having considered the Respondent's petition to lift the suspension of his license to practice medicine in the State of Georgia, hereby LIFTS THE SUSPENSION OF RESPONDENT'S LICENSE TO PRACTICE MEDICINE IN GEORGIA and in conjunction therewith, the Board hereby enters its Findings Of Fact and Conclusions of Law, and ORDERS as follows:

**FINDINGS OF FACT**

1.

Respondent is licensed to practice medicine in the State of Georgia and was licensed at all times relevant to the matters stated herein.

2.

Respondent has a history of chemical dependency and substance abuse.

3.

On or about November 29, 2004, Respondent entered into a Public Consent Order with the Board, Docket No. 20050074, which provided, among other terms, that Respondent's license to practice medicine in the State of Georgia be placed on indefinite suspension until further order of the Board.

4.

Respondent entered and completed treatment at Ridgeview Institute. Respondent has remained clean and sober since his discharge.

5.

On or about September 1, 2005, Respondent met with a committee of the Board to request the Board's consideration in lifting the suspension of his medical license. Respondent has professional advocacy supporting his efforts to return to the practice of medicine in the State of Georgia.

6.

Respondent admits the above findings of fact and waives any further findings of fact with respect to the above-styled matter.

#### **CONCLUSIONS OF LAW**

Respondent's prior conduct and/or condition constitute sufficient grounds for the imposition of sanctions upon Respondent's license to practice medicine in the State of Georgia under O.C.G.A. Chs. 1 and 34, T. 43, as amended. Respondent hereby waives any further conclusions of law with respect to the above-styled matter.

## ORDER

The Composite State Board of Medical Examiners, having considered the particular facts and circumstances of this case, hereby orders, and Respondent hereby agrees, to the following terms:

Beginning on the effective date of this Public Consent Order Lifting Suspension (the "Order"), Respondent's license to practice medicine in the State of Georgia shall be placed on probation, until discharged by the Board with the following terms and conditions:

(a) Treatment/Aftercare. Within fifteen (15) days of the effective date of this Consent Order, Respondent shall provide the Board with a copy of his continuing aftercare contract and execute a release so that the Board may obtain the results and records relating to Respondent's aftercare. Respondent shall abide by all terms of his continuing aftercare contract. Failure of Respondent to comply with any of these requirements shall subject Respondent's license to revocation, upon substantiation thereof after notice and hearing.

(b) Practice Setting. During the probationary period, Respondent shall practice medicine in a group setting only.

(c) Practice Restriction. Respondent shall not treat chemically dependent patients for a period of one year after practicing under this restriction. After practicing under this restriction for a period of one year, Respondent may treat chemically dependent patients if the Board has received written documentation from his monitoring and supervising physicians that supports the lifting of this restriction. The lifting of this restriction shall not become effective until the Board has provided Respondent a written acknowledgement of receipt of documentation from his monitoring and supervising physicians that support the change in this restriction.

(d) Work Hours. Respondent shall work no more than thirty (30) hours per week for a period of at least six (6) months. Respondent may increase his hours after six months if it is in accordance with the recommendations of his monitoring and supervising physician and the Board receives written documentation from his monitoring and supervising physicians supporting the increase in work hours. Any increase in work hours recommended by Respondent's supervising and monitoring physicians shall not become effective until Respondent is provided written acknowledgement from the Board of receipt of documentation submitted by the supervising and monitoring physicians supporting the change in this restriction.

(e) Participation in Support Group. Respondent shall continue to affiliate with and regularly participate in meetings of Alcoholics Anonymous, Narcotics Anonymous, Caduceus Club or another similar support group acceptable to the Board in accordance with his aftercare contract or as otherwise required by the Board.

(f) Abstain from Mood Altering Substances. Respondent shall continue to completely abstain from the consumption of alcohol. Respondent shall also continue to completely abstain from the consumption of mood altering substances, except as prescribed by a duly licensed practitioner for a legitimate medical purpose. **If such treatment entails the use of narcotics or other potentially addictive substances, Respondent shall have his prescribing physician obtain a consultation with his Board approved monitoring physician, who shall notify the Medical Director within ten (10) days of the event.**

(g) Supervision and Monitoring. Respondent shall designate an acceptable supervising ("workplace") physician, who will supervise his work, and an acceptable treating ("monitoring") physician with whom he will continue therapeutic care and who will monitor any medications he is prescribed. Respondent shall provide a copy of this Consent Order to both

physicians. Such physicians shall sign a statement in substantially the same form as attached hereto as "Attachment A" to be submitted in conjunction with this Consent Order, as evidence of having read and understood same and having agreed to serve as Respondent's supervising and monitoring physicians. Respondent shall obtain prior written Board approval through the Medical Director for any change in supervising and monitoring physicians.

(h) Quarterly Reports. Respondent shall submit or cause to be submitted quarterly reports from his supervising and monitoring physicians regarding his performance and mental/physical condition by March 31, June 30, September 30 and December 31 of each calendar year, including a report on any medication being prescribed to Respondent. Failure to submit or have such reports submitted in a timely manner shall be considered a violation of this Consent Order. It is expected that said supervising and monitoring physicians shall be in communication with each other and will immediately report any change in Respondent's condition, which would render Respondent unable to practice with reasonable skill and safety to patients. By executing this Consent Order, Respondent specifically consents to such supervising and monitoring physicians or any other facility where Respondent obtains medical treatment reporting upon Respondent's condition, notwithstanding any privilege provided by state or federal law. Respondent shall obtain prior Board approval through the Medical Director or Executive Director for any change in the supervisor or monitoring physician.

(i) Random Drug/Alcohol Screens. The Board or its representative or Respondent's supervising or monitoring physicians shall have the authority at any time to order Respondent to undergo random witnessed and immediate drug/alcohol urine, biological fluid, hair or blood screen analysis at Respondent's expense. Proper chain of custody shall be maintained and

positive results shall be confirmed by such means as may be required to ensure the validity of such screening.

(j) DEA Restriction. Respondent may possess a DEA Certificate of Registration authorizing him to prescribe, administer and dispense Schedule III, IV and V controlled substances and dangerous drugs. Respondent shall not be authorized to prescribe, administer and dispense Schedule II controlled substances. After Respondent has practiced under this restriction for a period of at least one (1) year, this restriction may be lifted if it is in accordance with the recommendations of Respondent's supervising and monitoring physicians and the Board has received written documentation of these recommendations from Respondent's supervising and monitoring physicians. The lifting of this restriction shall not become effective until the Board has provided Respondent written documentation acknowledging receipt of documentation from his monitoring and supervising physicians supporting the lifting of this restriction. All prescriptions issued by Respondent shall be governed by the following terms:

1. Triplicate Prescriptions. Respondent shall utilize a triplicate prescriptions system for all controlled substances prescribed by him. Each prescription for such a controlled substance written by Respondent shall be sequentially numbered and the copies distributed as follows: original to patient, one copy to the Board, and one copy to the patient's chart. Respondent shall not begin renumbering when he reaches 1000, but shall continue to number sequentially. The copies for the Board shall be mailed or delivered to the Board by Respondent once per quarter. A copy of Respondent's dispensing records shall be provided to the Board upon request for all controlled substances dispensed by him or on his order.

2. Prescription Log. Respondent shall personally maintain for inspection a contemporaneous log (separate from his clinical records or the clinical records of other health care providers) of all controlled substances prescribed, administered, dispensed, or ordered by Respondent. The prescription log shall include the date, patient name, drug, strength, quantity, and refill status, on a form approved by the Board. The prescription log shall also include the diagnosis and the reasons for prescribing, administering, dispensing, or ordering each drug. The Board shall be authorized to inspect Respondent's prescription log. If Respondent's prescription log fails to comply with the requirements of this consent order, the Board is authorized to summarily suspend Respondent's license, pending a hearing.

3. Record Keeping. Prior to prescribing, administering, ordering or dispensing any controlled substance, Respondent shall detail fully the examination performed and diagnosis reached in the particular patient's file. Respondent shall specifically record all physical data of the patient, and detail the exact nature of Respondent's evaluation of the patient. In addition to this requirement, Respondent agrees to comply with all record keeping requirements of the Board.

(k) Further Evaluation. At any time during the period of probation, the Board shall also have the authority to order Respondent to undergo a physical or mental evaluation by physicians designated by the Board. Respondent shall execute such releases as may be required for the Board to obtain the results of such evaluations.

(l) Periods of Residency Outside Georgia. In the event Respondent should leave Georgia to reside or practice outside of Georgia for periods longer than thirty (30) consecutive days, Respondent shall notify the Board in writing of the dates of departure and return. Periods



of residency or practice outside of Georgia as well as periods when Respondent is not actively engaged in practicing as a physician will not apply to the reduction of Respondent's probationary period, except as authorized by the Board. **Respondent shall advise the Board of any change in address of record or employment status.**

(m) Abide By Laws, Rules and Terms. Respondent shall abide by all State and Federal laws regulating his practice as a physician or relating to drugs, the Rules and Regulations of the Composite State Board of Medical Examiners and the terms of this Consent Order and probation. If Respondent shall fail to abide by such laws, rules or terms, or if it should appear from monitoring reports submitted to the Board that Respondent is otherwise unable to practice with reasonable skill and safety to patients, or should Respondent violate the criminal laws of this state, including any term of probation, Respondent's license shall be subject to further discipline, including revocation, upon substantiation thereof, after notice and hearing, and if revoked, the Board in its discretion may determine that the license should be permanently revoked and not subject to reinstatement. Respondent further agrees that any violation of this Order shall be deemed to be sufficient to authorize the Board to order summary suspension of Respondent's license, pending further proceedings, pursuant to the provisions of the Georgia Administrative Procedure Act, O.C.G.A. § 50-13-18(c)(1), or any other statute authorizing emergency action, but Respondent understands that Respondent shall be entitled to an expedited hearing to substantiate such violation(s), if the Board exercises such right.

(n) Disclosure. In addition to other disclosures required by this Consent Order, Respondent shall supply a copy of this Consent Order, once approved and docketed by the Board, and within ten (10) days from receipt of the docketed copy by Respondent, to each hospital or other institution in Georgia where Respondent maintains staff privileges of any kind,

and to any person with whom Respondent is associated in practice, including other physicians, physician's assistants, nurse practitioners, or to any person or entity for whom Respondent is employed as a physician in the State of Georgia. Respondent shall also be required to disclose the existence of and provide a copy of this Consent Order to such individuals or entities in connection with any future application for institutional appointment, associated practice, or employment as a physician in the State of Georgia while this Consent Order is in effect. By executing this Consent Order, Respondent specifically consents to any such individuals or entities reporting to the Board information, which would affect Respondent's ability to practice medicine with reasonable skill and safety to patients, notwithstanding any privilege provided by state or federal law. Respondent shall document compliance with this condition of probation utilizing the form attached hereto as Attachment B, or in a substantially similar form.

(o) Termination of Probation. Respondent shall not be eligible to petition for termination of probation until demonstrating five (5) years of continuous sobriety from the effective date of this Order. At such time, Respondent may petition for termination by certifying under oath before a notary public that he has complied with all conditions of probation and by providing documentation supporting discharge from probation, including, but not limited to, a written statement from Respondent's monitoring and supervising physicians that said monitoring and supervising physicians agree with the termination of probation. The Board shall review and evaluate the practice of Respondent prior to lifting the probation. At such time, should the Board determine that reasonable cause exists for maintaining Respondent's license on a probationary status, the Board shall notify Respondent of its intent to deny Respondent's petition to terminate probation, and Respondent may respond to such notification in writing or request an appearance before the Board or its representative as in a non-contested case. If no reasonable cause exists to

maintain Respondent's medical license on a probationary status, the Board shall be authorized, but is not required, to terminate probation. If the Board denies the Respondent's petition for termination of probation, Respondent may petition for termination of probation on an annual basis thereafter. In any event, this Consent Order shall remain in effect pending a final determination by the Board and notification that the probationary period has terminated.

2.

This Consent Order shall constitute a public order of the Board and may be disseminated as such.

3.

Respondent acknowledges that Respondent has read this Consent Order and understands its contents. Respondent understands that he has a right to appear before the Board, and freely, knowingly, and voluntarily waives that right. Respondent understands that this Consent Order will not become effective until approved by the Board and docketed by the Executive Director of the Board. Respondent further understands and agrees that a representative of the Department of Law may be present during the presentation of this Consent Order to the Board and that the Board shall have the authority to review the investigative file and all relevant evidence in considering this Consent Order. Respondent further understands that this Consent Order, once approved, shall constitute a public record that may be disseminated as a disciplinary action of the Board. However, if the Consent Order is not approved, it shall not constitute an admission against interest in this proceeding, or prejudice the right of the Board to adjudicate this matter. Respondent consents to the terms and conditions contained herein.

Approved, this 6<sup>th</sup> day of October, 2005.

COMPOSITE STATE BOARD OF  
MEDICAL EXAMINERS

(BOARD SEAL)

BY:

*M. Vinayak Kamath*  
M. VINAYAK KAMATH, M.D.  
President

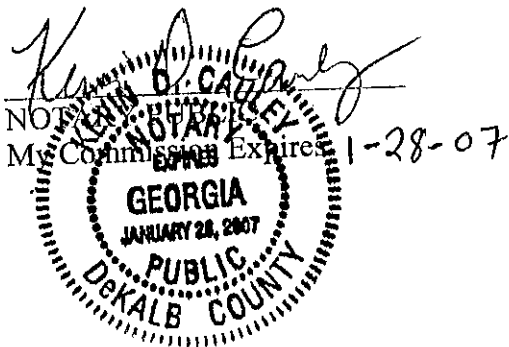
ATTEST:

*Lasharn Hughes*  
LASHARN HUGHES  
Executive Director

CONSENTED TO:

*Antonio Luis*  
ANTONIO LUIS, M.D.  
Respondent

Sworn to and Subscribed  
before me this 30<sup>th</sup> day  
of September, 2005.



BEFORE THE COMPOSITE STATE BOARD OF MEDICAL EXAMINERS  
STATE OF GEORGIA

Composite State Board  
of Medical Examiners

IN THE MATTER OF:


NOV 29 2004

ANTONIO LUIS, M.D.

DOCKET NUMBER

License No. 023759  
Respondent.

DOCKET NO.

  
20050074

CONSENT ORDER

By agreement of the Composite State Board of Medical Examiners and ANTONIO LUIS, M.D. (Respondent) the following disposition of this matter is entered pursuant to the provisions of O.C.G.A. § 50-13-13(a)(4).

FINDINGS OF FACT

1.

Respondent is licensed to practice as a physician in the State of Georgia, and was so licensed at all times relevant to the matters asserted herein.

2.

Respondent has reported to the Board that he is unable to practice medicine at the present time due to chemical dependency and substance abuse in the recent past.

CONCLUSIONS OF LAW

Respondent's actions constitute sufficient grounds for the Board to exercise its disciplinary authority and to impose sanctions on Respondent as a licensee under O.C.G.A. Ch. 34, T. 43, as amended, O.C.G.A. § 43-1-19(a) and the Rules of the Composite State Board of Medical Examiners. Respondent waives any further findings of law with respect to this matter.

ORDER

The Board having considered the particular facts and circumstances of this case, it is hereby ordered, and the Respondent hereby agrees, as follows:

1.

Respondent agrees that his license as a physician shall be suspended indefinitely and that he shall not practice as a physician until further order of the Board. If Respondent practices as a physician without express permission of the Board, Respondent's license shall be subject to revocation, upon substantiation thereof.

2.

Respondent shall enter treatment as required and/or deemed necessary. Following discharge from treatment, Respondent shall comply with any recommended follow-up care, including a continuing care program, as may be suggested by his treating physician and/or shall comply with further recommendations of the Board. Respondent shall execute a release so that the Board may obtain the results and records relating to any of Respondent's evaluation(s) and/or treatment.

3.

Respondent shall obtain professional advocacy from an advocate acceptable to the Board for his return to the practice of medicine and may be requested to personally meet with the Impairment Committee of the Board to discuss the course of Respondent's rehabilitation. The Board shall have the discretion following such meeting to lift the subject's suspension, to place upon Respondent's license any conditions that the Board may deem appropriate, or to deny lifting the suspension if the Board determines that Respondent needs further rehabilitation.

4.

This Consent Order constitutes a PUBLIC REPRIMAND and may be disseminated by the Board as a public disciplinary action.

5.

During the period of suspension, the Respondent shall continue to pay the license renewal fee by and before each expiration date, as established by the Board. Failure to pay the license renewal fee shall be grounds for the administrative revocation of Respondent's license

without a hearing, as provided by O.C.G.A. 43-1-19(1), with reinstatement within the discretion of the Board. Respondent acknowledges that when considering the reinstatement of an administratively revoked license, the Board has the authority to review any investigative file relating to the Respondent.

6.

Respondent also understands that pursuant to O.C.G.A. Title 43, Chapter 34A, the contents of this order shall be placed on his Physician's Profile. Furthermore, by executing this Consent Order, the Respondent hereby agrees to permit the Board to update the Physician's Profile reflecting this Consent Order.

7.

Respondent acknowledges that he has read and understands the contents of this Consent Order. Respondent understands that he has the right to a hearing in this matter, and Respondent freely, knowingly and voluntarily waives such right by entering into this Consent Order. Respondent understands that this Consent Order will not become effective until approved by the Composite State Board of Medical Examiners and docketed by the Executive Director of the Board. Respondent further understands and agrees that a representative of the State Department of Law may be present during the presentation of this Consent Order and that the Board shall have the authority to review the investigative file and all relevant evidence in considering this Consent Order. Respondent further understands that this Consent Order, once approved, shall constitute a public record that may be disseminated as a disciplinary action of the Board. If this Consent Order is not approved, it shall not constitute an admission against interest in this proceeding, or prejudice the ability of the Board to adjudicate this matter. Respondent consents to the terms and sanctions contained herein.

Approved, this 21 day of November 2004.

**COMPOSITE STATE BOARD OF MEDICAL EXAMINERS**

BY: Roland Summers  
Roland Summers, M. D.  
President

ATTEST: LaSharr Hughes  
LaSharr Hughes  
Executive Director  
Composite State Board of Medical Examiners

(BOARD SEAL)

CONSENTED TO:

Antonio Luis  
ANTONIO LUIS, M.D.  
Respondent

Sworn to and subscribed  
before me this 15<sup>th</sup> day  
of November, 2004.  
Kenn Yarbrough  
NOTARY PUBLIC  
DEKALB COUNTY, GEORGIA  
EXPIRES JANUARY 28, 2007  
My commission expires: 1-28-07