

BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD

STATE OF GEORGIA

IN THE MATTER OF:

**J. SCOTT ANDREWS, MD
License No. 031555
Respondent**

Docket # 20090041

PUBLIC ORDER TERMINATING TERMS

WHEREAS, the Georgia Composite Medical Board entered a Public Consent Order ("Order") in the above-styled matter on February 5, 2010 which placed on terms on Respondent's license to practice medicine in the State of Georgia, and

WHEREAS, Respondent has petitioned to have the terms lifted, and

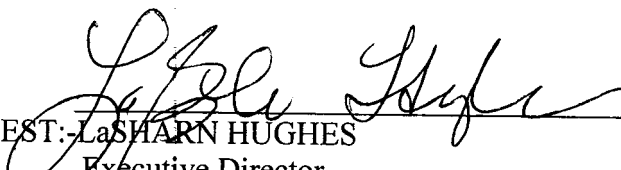
WHEREAS, the Board has determined that the Respondent has complied with all the terms and conditions of the Order.

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

SO ORDERED THIS 13th DAY OF APRIL 2010

GEORGIA COMPOSITE MEDICAL BOARD

BY: _____
John T. Perry, MD
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

IN THE MATTER OF:

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JOHN S. ANDREWS, M.D.,
License No. 31555,

Respondent.

DOCKET NO.

FEB 05 2009
DOCKET NUMBER
20090041

PUBLIC CONSENT ORDER

By agreement of the Composite State Board of Medical Examiners ("the Board") and JOHN S. ANDREWS, M.D. (the "Respondent"), the following disposition of the 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 medicine in the State of Georgia and was licensed as such at all times relevant to the matters stated herein.

2.

Respondent, a psychiatrist, provided medical care and treatment to patient M.H. from on or about February 19, 1997 through on or about March 7, 2008. Respondent prescribed multiple medications on a monthly basis, including but not limited to Propranolol (Inderal), Albuteral, Carisoprodol (Soma), Hydrochloroton (HCTZ) and Darvocet, and maintained patient M.H. on these and various other medications for over 11 years. Respondent's medical record for M.H. contained neither sufficient patient history nor evidence of any physical examinations performed or results thereof. Respondent failed to order any laboratory and/or radiographic studies or review medical records from previous physicians.

3.

Respondent was providing psychotherapy to patient M.H. for anxiety and depression but also acted as a general practitioner because M.H. did not have a primary care physician. For example, Respondent prescribed medication for high blood pressure but only checked her blood pressure on 2 or 3 occasions over 11 years.

4.

Patient M.H., 69 years old, died in or about March 2008. Respondent signed patient M.H.'s death certificate and recorded the cause of death as "cardiac failure". Respondent admitted in an interview with the Board that he was just putting something down and really had no idea what caused M.H.'s death. Respondent stated that his care of M.H. fell below any reasonable standard of care for a family practitioner.

5.

Respondent provided medical care and treatment to patient J.H., patient M.H.'s son, from in or about January 1997 (when J.H. was about 35 years old) to the present. Patient J.H. presented to Respondent with a history of epilepsy and, later, low back pain.

6.

Respondent continued to prescribe Dilantin and Diazepam, 100mg 3x/day each, to patient J.H.; these were the medications patient J.H. was taking when he presented to Respondent in January 1997.

7.

In or about 2000, Respondent began prescribing Darvocet to patient J.H. when he complained of low back pain. Respondent continued to prescribe medication for patient J.H. while he was incarcerated from April 2005 until July 2007 on a drug conviction.

8.

Respondent's medical record for M.H. does not contain sufficient patient history or evidence of any physical examinations performed. Respondent failed to order any laboratory and/or radiographic studies or review medical records from previous physicians. Respondent stated that the patient's last Dilantin level was "quite some time ago".

9.

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 conduct constitutes sufficient grounds for the Board to exercise its disciplinary authority and to impose sanctions on 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:

1.

In addition to the CME required of all Georgia physicians, Respondent shall obtain twenty (20) hours of continuing medical education ("CME") in the area of recordkeeping. Prior to obtaining the CME, Respondent shall submit the title of the course(s) he plans to attend and information concerning the course(s) to the Board. Respondent shall submit proof of

completion of said additional twenty hours to the Board within one year from the docketing of this order.

2.

In addition to the CME in recordkeeping, Respondent shall provide the Board with evidence, within six (6) months of the effective date of this Order, of having successfully completed the mini-residency program entitled "Appropriate Prescribing of Controlled Substances" sponsored by the Mercer University Southern School of Pharmacy.

3.

Respondent agrees that he shall limit his practice of medicine to the field of psychiatry. Respondent shall not practice as a general or family practitioner or as a neurologist. If Respondent practices in areas of medicine outside of psychiatry, it shall be considered a violation of this Order and shall result in further sanctioning of Respondent's license, including revocation, upon substantiation thereof.

4.

This Consent Order and dissemination thereof shall constitute a public order of the Board.

5.

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

6.

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 the Consent Order. If Respondent shall fail to abide

by such laws, rules or terms, or should Respondent violate the criminal laws of the state, 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 the Consent 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.

7.

Respondent acknowledges that he is represented by counsel and that he has read this Consent Order and understands its contents. Respondent understands that he has the right to a hearing in this matter and freely, knowingly and voluntarily waives that right by entering into this Consent Order. Respondent understands and agrees that a representative of the Department of Law may be present during the Board's consideration 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 will not become effective until approved and docketed by the Composite State Board of Medical Examiners. Respondent understands that this Consent Order, once approved and docketed, shall constitute a public record, evidencing disciplinary action by the Board. However, if this 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 hereby consents to the terms and sanctions contained herein.

Approved, this 5th day of February, 2009.

**COMPOSITE STATE BOARD OF
MEDICAL EXAMINERS**

BY: Jean Rawlings Sumner, M.D.
JEAN RAWLINGS SUMNER, M.D.
President

(BOARD SEAL)

ATTEST:

Lasharn Hughes
LASHARN HUGHES
Executive Director

CONSENTED TO:

John S. Andrews, M.D.
JOHN S. ANDREWS, M.D.
Respondent

[As to the signature of Dr. Andrews:]
Sworn to and Subscribed Before me
this 23rd day of January, 2009.

AAH
NOTARY PUBLIC
My Commission Expires:

COMMISSION EXPIRES JULY 17, 2010

Anthony L. Cochran
ANTHONY L. COCHRAN, ESQ.
Attorney for Respondent