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7
8 **BEFORE THE ARIZONA MEDICAL BOARD**

9 In the Matter of:

10 **GEORGE E. STAVROS, M.D.**

11 Holder of License No. 4409
For the Practice of Allopathic Medicine
In the State of Arizona,

12 Respondent.
13

)
) Board Case No. MD-01-0354
)

) **CONSENT AGREEMENT**
) **FOR DECREE OF CENSURE**
) **AND PROBATION**
)

14 **CONSENT AGREEMENT**

15 By mutual agreement and understanding, between the Arizona Medical Board
16 ("Board") and George E. Stavros, M.D. ("Respondent") the parties agree to the following
17 disposition of this matter.

18 1. Respondent acknowledges that he has read and understands this Consent
19 Agreement and the stipulated Findings of Fact, Conclusions of Law and Order. Respondent
20 acknowledges that he understands he has the right to consult with legal counsel regarding
21 this matter and has done so or chooses not to do so.

22 2. Respondent understands that by entering into this Consent Agreement for the
23 issuance of the foregoing Order, he voluntarily relinquishes any rights to a hearing or
24 judicial review in state or federal court on the matters alleged or to challenge this Consent
25 Agreement and the Order in its entirety as issued by the Board, and waives any other cause
26 of action related thereto or arising from said Order.

1 3. Respondent acknowledges and understands that this Consent Agreement and
2 the Order will not become effective until approved by the Board and signed by its Executive
3 Director.

4 4. All admissions made by Respondent are solely for final disposition of this
5 matter and any subsequent related administrative proceedings or civil litigation involving
6 the Board and Respondent. Therefore, said admissions by Respondent are not intended or
7 made for any other use, such as in the context of another state or federal government
8 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or
9 any other state or federal court.

10 5. Respondent acknowledges and agrees that, although said Consent Agreement
11 and order has not yet been accepted by the Board and issued by the Executive Director,
12 Respondent may not make any modifications to the document. Upon signing this agreement,
13 and returning this document (or a copy thereof) to the Board's Executive Director,
14 Respondent may not revoke acceptance of the Consent Agreement and Order. Any
15 modifications to this Consent Agreement and Order are ineffective and void unless mutually
16 approved by the parties.

17 6. Respondent understand and agrees that if the Board does not adopt this
18 Consent Agreement, he will not assert as a defense that the Board's consideration of this
19 Consent Agreement constitutes bias, prejudice, prejudgment or other similar defense.

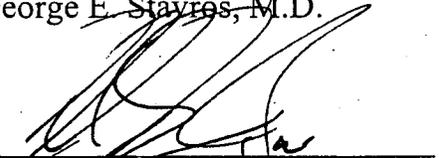
20 7. Respondent further understands that this Consent Agreement and Order, once
21 approved and signed, shall constitute a public record document that may be publicly
22 disseminated as a formal action of the Board and will be reported to the National
23 Practitioner's Data Bank and will be reported to the Arizona Medical Board's website.

24 8. If any part of the Consent Agreement and Order is later declared void or
25 otherwise unenforceable, the remainder of the Order in it entirety shall remain in force and
26 effect.

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George E. Stavros, M.D.

Dated: 1/15/04


Charles E. Buri, Esq.
Approved as to form

Dated: January 14, 2004

FINDINGS OF FACT

1. The Board is the duly constituted authority for the regulation and control of the practice of allopathic medicine in the State of Arizona.
2. Respondent is the holder of License No. 4409 for the practice of allopathic medicine in the State of Arizona.
3. The Board initiated case number MD-01-0354 in response to a notice received from PacifiCare of Arizona, Inc. ("PacifiCare") on May 14, 2001, advising that Respondent had been removed from PacifiCare's list of approved providers because of his failure to improve medical record-keeping practices and document supervision of the physician in his employ.
4. On June 12, 2002, Board staff obtained from Respondent's office copies of fourteen (14) patient charts, three (3) of which had been used as the basis of PacifiCare's action.
5. Board staff reviewed the fourteen (14) patient charts and found inadequate documentation, including no instructions as to how to take medications, no followup, and no detailed history or physical examination.
6. In June 1991, Respondent received a Decree of Censure from the Board for failure to maintain adequate medical records.
7. On October 25, 2002, Respondent completed twenty (20) hours of Continuing Medical Education ("CME") in record-keeping at the Physician Assessment and Clinical

1 Education Program ("PACE").

2 8. Respondent's current practice consists of performing the work of a qualified
3 aviation medical examiner and medical director of drug abuse clinics. Respondent also
4 provides *pro bono* charitable medical services.

5 **CONCLUSIONS OF LAW**

6 1. The Board possesses jurisdiction over the subject matter and over Respondent
7 pursuant to A.R.S. § 32-1401 *et seq.*

8 2. The conduct and circumstances described above constitute unprofessional
9 conduct pursuant to A.R.S. § 32-1401(25)(e)(failing or refusing to maintain adequate
10 records on a patient).

11 3. In determining the appropriate disciplinary action, the Board shall consider all
12 previous non-disciplinary and disciplinary actions against a licensee. A.R.S. § 32-1451(U).

13 **ORDER**

14 **IT IS HEREBY ORDERED THAT:**

15 1. Respondent is hereby issued a Decree of Censure for failing or refusing to
16 maintain adequate records on multiple patients.

17 2. Respondent is also hereby placed on Probation for two years for the purpose
18 of monitoring the adequacy of Respondent's medical records with the following terms and
19 conditions:

20 a. Respondent shall provide to Board staff annually documentation of his
21 successful compliance with Federal Aviation Administration ("FAA") medical
22 records requirement.

23 b. Respondent shall maintain a list of patients that he sees in the course
24 of his drug abuse clinic practice for the purpose of identifying charts for review.
25 Respondent shall provide that patient list to Board staff semi-annually. Board staff
26 may conduct a random chart review from that list.

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c. Respondent shall notify the Executive Director within thirty (30) days of any change in the scope of his practice. The Executive Director shall determine whether any changes in the medical records monitoring regime are needed. If Respondent disagrees with the Executive Director's determination, Respondent may appeal that determination to the Board. The Executive Director's proposed monitoring plan shall not take effect until the appeal is heard and decided by the Board.

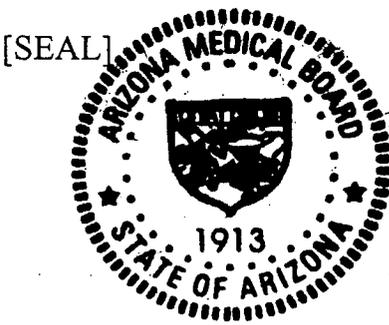
3. Respondent shall obey all federal, state, and local laws, all rules governing the practice of medicine in Arizona, and remain in full compliance with any court ordered criminal probation, payments and other orders.

4. In the event Respondent should leave Arizona to reside or practice outside the State or for any reason should Respondent stop practicing medicine in Arizona, Respondent shall notify the Executive Director in writing within ten (10) days of departure and return or the dates of non-practice with Arizona. Non-practice is defined as any period of time exceeding thirty days during which Respondent is not engaging in the practice of medicine. Periods of temporary or permanent residence or practice outside Arizona or of non-practice within Arizona, will not apply to the reduction of the probationary period.

5. This Order is the final disposition of case number Md-01-0354.

DATED and effective this 22ND day of JANUARY, 2004.

ARIZONA MEDICAL BOARD



By: Barry A. Cassidy
Barry A. Cassidy, Ph.D., PA-C
Executive Director

1 ORIGINAL of the foregoing filed
this 26th day of ~~JANUARY~~ ^{APRIL}, 2004, with:

2 Arizona Medical Board
3 9545 E. Doubletree Ranch Road
4 Scottsdale, AZ 85258

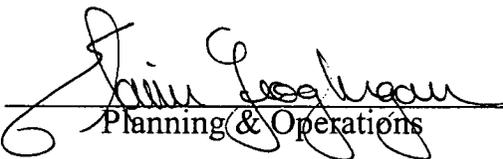
5 EXECUTED COPY of the foregoing mailed by
Certified Mail this 26th day of ~~JANUARY~~ ^{APRIL}, 2004, to:

6 George Stavros, M.D.
7 (address of record)

8 EXECUTED COPY of the foregoing mailed
this 26th day of ~~JANUARY~~ ^{APRIL}, 2004, to:

9 Charles E. Buri, Esq.
10 FRIEDL, RICHTER & BURI, P.A.
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14 Stephen A. Wolf, Esq.
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Planning & Operations