

LOUISIANA STATE
BOARD OF MEDICAL EXAMINERS

013 6 01
8/20/81

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In The Matter Of
GEORGE W. COWART, M.D.
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FINAL DECISION

A formal hearing was convened before the Louisiana State Board of Medical Examiners (Board) on October 26, 1978 to adjudicate alleged, specified violations of the Louisiana Medical Practice Act by George W. Cowart, M.D. (Dr. Cowart), to-wit: "entry of a plea of guilty . . . to a criminal charge," LSA-R.S. 37:1285(1); "[h]abitual or recurring use of morphine, opium, cocaine, or other drugs having a similar effect," LSA-R.S. 37:1285(5); "[p]rescribing, dispensing, or administering habit-forming or other legally controlled substances in other than a legal or legitimate manner," LSA-R.S. 37:1285(6); and "[i]nability to practice medicine with reasonable skill or safety to patients because of mental illness or deficiency; physical illness, including but not limited to deterioration through the aging process or loss of motor skills; and/or, excessive use or abuse of drugs, including alcohol," LSA-R.S. 37:1285(25).

After receiving and considering the evidence and Dr. Cowart's sworn statements and representations, pursuant to LSA-R.S. 49:958, the Board renders the following Findings of Fact, Conclusions of Law and Decision.

Findings of Fact

1

On March 7, 1978, a Bill of Information was filed in the First Judicial District Court for the Parish of Caddo, State of Louisiana, charging George W. Cowart, M.D. with violation of LSA-R.S. 40:971B(1)(b).

2

Said Bill of Information more particularly alleged that Dr. Cowart did knowingly and intentionally obtain a narcotic drug, to-wit: Tussinex, by fraud, deceit, misrepresentation, subterfuge and forgery.

3

On March 7, 1978, Dr. Cowart appeared before the Hon. James E. Clark, District Judge, and entered a plea of guilty to the charge of said Bill of Information, pursuant to LSA-C. Cr. P. art. 893.

4

Pursuant to his plea of guilty, the imposition of sentencing was deferred and Dr. Cowart was placed on supervised probation for a period of two (2) years upon the special condition that Dr. Cowart be accepted for treatment by the Disabled Doctors Program of the Ridgeview Institute, Smyrna, Georgia.

5

The criminal offense acknowledged by Dr. Cowart and to which he pled guilty arose out of and from his practice of medicine in the State of Louisiana and his exercise of the privileges of medical licensure and, because of the nature thereof, has a direct and proximate relationship to his qualification and fitness for practice.

6

By his own admission, Dr. Cowart had illicitly obtained, used and abused various classes of controlled dangerous substances on a regular basis for a long period of time in excess of three years prior to March 7, 1978.

7

While under treatment by the Disabled Doctors Program at the Ridgeview Institute, Smyrna, Georgia, Dr. Cowart obtained controlled dangerous substances for his personal self-administration.

8

G. Douglas Talbott, M.D., Program Director of the Disabled Doctors Program, Ridgeview Institute, Smyrna, Georgia, in expressing his medical opinion to the Board, concludes that "[i]t is not anticipated that Dr. Cowart will be ready to return to any kind of a practice situation in the foreseeable future and certainly not in 1978."

9

Dr. Cowart was referred by the Disabled Doctors Program to the White Deer Run Treatment and Rehabilitation Center, Allenwood, Pennsylvania, for several weeks of inpatient rehabilitation, including individual and group therapy and drug screens. With Dr. Cowart's consent, the Board has reviewed and considered progress records and narrative reports relative to his rehabilitative treatment at the White Deer Run Center.

10

Based on all the evidence before it, the Board is unable to make a medical finding that Dr. Cowart has at this time achieved sufficient rehabilitative progress to enable him to practice medicine with reasonable skill or safety to patients or to himself.

Conclusions of Law

Based on the foregoing Findings of Fact, the Board concludes, as a matter of law, that:

1

George W. Cowart, M.D. entered a plea of guilty to a criminal charge arising out of his practice of medicine and proximately related to his qualifications and fitness for practice, and, therefore, just cause exists for action against his license as provided for by LSA-R.S. 37:1285(1).

2

George W. Cowart, M.D. has suffered from habitual and recurring use of controlled substances inducing physiological or psychological dependence similar to the effect of morphine, opium or cocaine, and, therefore,

just cause exists for action against his license as provided for by LSA-R.S. 37:1285(5).

3

In obtaining controlled substances by prescription for self-administration, Dr. Cowart prescribed, dispensed or administered legally controlled substances in other than a legal or legitimate manner, and, therefore, just cause exists for action against his license as provided for by LSA-R.S. 37:1285(6).

4

Dr. Cowart is presently unable to practice medicine with reasonable skill or safety to patients because of mental illness or deficiency and/or excessive use or abuse of drugs, and, therefore, just cause exists for action against his licenses provided by LSA-R.S. 37:1285(25).

Decision

Considering the foregoing,

IT IS ORDERED that the license of George W. Cowart, M.D. to practice medicine in the State of Louisiana, as evidenced by Certificate No. 13601, be, and the same is hereby, REVOKED.

New Orleans, Louisiana, this 14 day of November,
1978.

LOUISIANA STATE BOARD OF
MEDICAL EXAMINERS

By *Charles B. Odom*
CHARLES B. ODOM, M.D.
President