

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

630 Camp Street, New Orleans, LA 70130

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**BEFORE THE
LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

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(504) _____

IN THE MATTER OF:

GEORGE DEMETRIOS FIVGAS, M.D.

(Credential No.13263R),

Respondent

No. 2021-I-450

CONSENT ORDER

George Demetrios Fivgas, M.D. ("Dr. Fivgas"), is a physician licensed to practice medicine in the State of Louisiana pursuant to the Louisiana Medical Practice Act (the "Act"), La. R.S. 37:1261, *et seq.*, as evidenced by credential No.13263R. The above-captioned matter was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board") following the receipt of apparently reliable information indicating that Dr. Fivgas was prescribing controlled dangerous substances ("CDS") in violation of Louisiana law and the Board's Rules.

Investigation of the captioned matter was assigned to Lawrence H. Cresswell, III, D.O., J.D., Director of Investigations (the "Investigating Officer") for the Board. In the course of the investigation, the Investigating Officer learned that Dr. Fivgas had prescribed CDS to an immediate family member since at least 2012 as treatment for chronic migraines with ocular phenomena. The investigation also revealed that, while Dr. Fivgas did maintain medical records, his prescribing in this case did not fully follow the Board's Rules on prescribing CDS for non-cancer-related chronic or intractable pain.¹ Dr. Fivgas cooperated with the Investigating Officer throughout the investigation, including by providing a written response to the complaint, providing requested medical records, and meeting with the Investigating Officer to discuss the investigation.

As evidenced by his subscription hereto, Dr. Fivgas acknowledges the substantial accuracy of the foregoing information and that proof of such information upon administrative evidentiary

¹ The investigation also revealed that Dr. Fivgas did not access and review the Prescription Monitoring Program ("PMP") prior to prescribing CDS in this case in violation of Louisiana law and the Board's Rules. See La. R.S. 40:978(F); La. Admin. Code tit. 46 pt. XLV §§ 6931-37. However, since this is Dr. Fivgas's first violation of Louisiana law and the Board's Rules regarding mandatory PMP access and review, this violation does not constitute a basis for discipline. See La. R.S. 40:978(F)(2).

hearing would establish sufficient cause to take action with respect to his medical license pursuant to La. R.S. 37:1285(A)(13)² and (30)³ and La. Admin. Code tit. 46 pt. XLV §§ 6915–23.⁴

Recognizing his right to have notice and administrative adjudication of any charges that may be asserted against him in these proceedings, at which time Dr. Fivgas would be entitled to be represented by legal counsel, to call witnesses and to present evidence on his own behalf in defense or in mitigation of the charges made and to a decision thereon by the Board based upon written findings of fact and conclusions of law pursuant to La. R.S. 49:955–65, Dr. Fivgas, nonetheless, hereby waives his right to notice and formal adjudication and pursuant to La. R.S. 49:955(D) consents to entry of the Order set forth hereinafter. Dr. Fivgas acknowledges that he hereby waives any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act, La. R.S. 49:951 *et seq.*, or which may be afforded to him by any other law to contest or appeal his agreement to or the force and effect of the Board's investigation or this Order in any court or other forum. By his subscription hereto, Dr. Fivgas also hereby authorizes the Investigating Officer designated by the Board with respect hereto to present this Order to the Board for its consideration and to fully disclose to and discuss with the Board the nature and results of the investigation and he waives any objection to such disclosures under La. R.S. 49:960. Dr. Fivgas expressly acknowledges that the disclosure of such information to the Board by the Investigating Officer shall be without prejudice to the Investigating Officer's authority to proceed with the adjudication of an administrative complaint against him or to the Board's capacity to adjudicate such complaint should the Board decline to approve this Order.

Based upon the information provided, and upon the recommendation of the Investigating Officer, the Board hereby concludes that, consistent with its mandate under La. R.S. 37:1261, the interests of public health, safety, and welfare will be effectively served by entry of the Order set forth hereinafter by consent. Accordingly, in consideration of the foregoing and pursuant to the authority vested in the Board by La. R.S. 37:1285 and La. R.S. 49:955(D);

IT IS ORDERED that George Demetrios Fivgas, M.D., is hereby **OFFICIALLY REPRIMANDED**.

IT IS FURTHER ORDERED that Dr. Fivgas shall, within one hundred and twenty (120) days of the effective date of this Order, pay to the Board a fine in the amount of Two Thousand Dollars and No/100 (\$2,000.00).

² Pursuant to La. R.S. 37:1285(A), “[t]he board may refuse to issue, or may suspend or revoke any license or permit, or impose probationary or other restrictions on any license or permit issued pursuant to this Part for the following causes: . . . (13) Unprofessional conduct”; *see also* La. Admin Code tit. 46 pt. XLV ’§ 7603(11) (defining “unprofessional conduct” to include that prescribing “controlled substances for themselves or their immediate family members. As respects a physician, *immediate family members* include the physician’s spouse, children, parents, and siblings”) (emphasis in original).

³ Pursuant to La. R.S. 37:1285(A), “[t]he board may refuse to issue, or may suspend or revoke any license or permit, or impose probationary or other restrictions on any license or permit issued pursuant to this Part for the following causes: . . . (30) Violation of any rules and regulations of the board, or any provisions of this Part.”

⁴ Establishing the Board’s Rules for Medications Used in the Treatment of Non-Cancer-Related Chronic or Intractable Pain.

IT IS FURTHER ORDERED that, if he has not done so already, Dr. Fivgas shall, within one hundred and eighty (180) days of the effective date of this Order, provide confirmation that he has registered for, attended, and successfully completed one (1) continuing medical education course on proper prescribing and one (1) continuing medical education course on ethics.

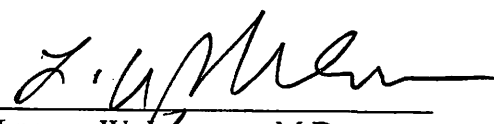
IT IS FURTHER ORDERED that this Consent Order shall be effective as of the date it is approved and accepted by the Board as shown by the signature of the Board's representative below.

IT IS FURTHER ORDERED that any violation of or failure of strict compliance with any of the terms set forth by this Order by Dr. Fivgas shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for such other action against Dr. Fivgas's license to practice medicine in the state of Louisiana as the Board may deem appropriate as if such violations were enumerated among the causes provided in La. R.S. 37:1285.

IT IS FURTHER ORDERED that this Consent Order shall be, and shall be deemed to be, a public record.

New Orleans, Louisiana, this 28th day of March, 2022.

LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS

By: 
LESTER W. JOHNSON, M.D.
President

Acknowledgment and Consent on Following Page

**ACKNOWLEDGMENT
AND CONSENT**

STATE OF LOUISIANA
PARISH OF EAST BATON ROUGE

I, GEORGE DEMETRIOS FIVGAS, M.D., hereby acknowledge that I have had the opportunity to seek the advice and guidance of legal counsel with respect to this Consent Order and that all of its terms and conditions have been fully explained to me and/or that I fully understand them. I further acknowledge that I approve, accept, and consent to entry of the above and foregoing Order without duress and of my own free will and accord, this 14th day of MARCH, 2022.

George Demetrios Fivgas M.D.
GEORGE DEMETRIOS FIVGAS, M.D.

WITNESSES:

Chantel Griffith
Signature

Diane Broussard
Signature

Chantel Griffith
Typed Name

Diane Broussard
Typed Name

11845 Mockingbird Lane
Street Address

23062 Parkland Ave.
Street Address

walker, LA 70785
City/State/Zip Code

Denham Springs, LA 70226
City/State/Zip Code

Sworn to and subscribed before me this
14th day of MARCH, 2022, in the
presence of the two stated witnesses.

Scott Huffstetler
Notary Public (Signature)

Name: Scott Huffstetler
Notary/Bar No.: 28615
Commission expires: at term

SCOTT D. HUFFSTETLER
NOTARY PUBLIC
STATE OF LOUISIANA
LA BAR ROLL NO. 28615
MY COMMISSION IS FOR LIFE