

BEFORE THE GEORGIA COMPOSITE **GEORGIA COMPOSITE**  
STATE OF GEORGIA **MEDICAL BOARD**

IN THE MATTER OF: \*  
\*  
SANDRA LEE CHAPKOWSKI, M.D., \*  
License No. 46745. \*

JUN 07 2013

**DOCKET NUMBER**  
**99183**

**SECOND AMENDMENT TO PUBLIC CONSENT ORDER**

WHEREAS, on or about November 5, 2009, Sandra Lee Chapkowski, M.D. ("Dr. Chapkowski" or "Applicant") entered into a Public Consent Order ("Order") with the Georgia Composite Medical Board ("Board"), Docket No. 99813, that placed Dr. Chapkowski's medical license on a period of probation subject to terms and conditions;

WHEREAS, on or about July 12, 2011, the Board issued an Amendment to Public Consent Order which terminated required supervision and modified the requirement for reports from the supervising and monitoring physicians; and

WHEREAS, on or about May 16, 2013, the Board's Medical Director reviewed and approved a request from Dr. Chapkowski to work at Georgia Regional Hospital.

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

1.

Order, Paragraph 1(i) (2) entitled "Practice Restriction" shall be deleted and replaced with the following paragraph 1(i)(2):

"(2) Practice Location. Applicant shall only practice medicine at a Board approved location. To request Board approval, Applicant shall submit a written request to the Board

including supporting letters from her supervising and monitoring physicians. Any approval shall be in the Board's discretion and notification will be made to the Applicant in writing."

2.

Except as provided herein, Dr. Chapkowski's license shall remain on a period of probation and subject to all of the remaining terms and conditions as set forth in the Order of November 5, 2009 and all amendments thereto.

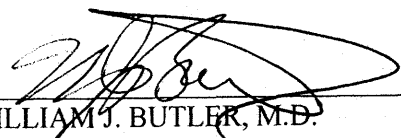
3.

This Second 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 6 day of June, 2013.

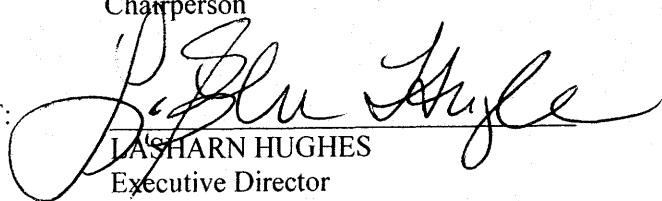
**GEORGIA COMPOSITE MEDICAL BOARD**

BY:

  
WILLIAM J. BUTLER, M.D.  
Chairperson

(BOARD SEAL)

ATTEST:

  
LASHARN HUGHES  
Executive Director

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

STATE OF GEORGIA

NOV 05 2009

IN THE MATTER OF:

SANDRA LEE CHAPKOWSKI, M.D.,  
License No. 46745,

Applicant.

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**DOCKET NUMBER**

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99183

**PUBLIC CONSENT ORDER**

By agreement of the Georgia Composite Medical Board (the "Board") and SANDRA LEE CHAPKOWSKI, M.D. (the "Applicant"), the following disposition of this matter is entered into pursuant to the provisions of O.C.G.A. §43-34-8, and §43-1-19.

**FINDINGS OF FACT**

1.

Applicant was initially licensed as a physician in the State of Georgia on or about February 4, 1999 under terms and conditions of probation based on Applicant's history of substance abuse and treatment dating back to 1989. Applicant's probation was terminated in or about January 2003. On or about February 4, 2005, Applicant voluntarily surrendered her license due to her substance abuse relapse.

2.

In 2005 and 2006, Applicant sought treatment for substance abuse at Willingway Hospital, Statesboro, GA. Applicant was subsequently arrested in 2006 in Savannah, GA for DUI, entered a plea in September 2007, with probation terminated on or about May 22, 2007. After a relapse in May 2008, Applicant has been in monitored recovery with D. Ray Gaskin,

Jr., M.D. In or about July 2009, Applicant applied for the reinstatement of her medical license.

Applicant has professional advocacy to return to the practice of medicine.

3.

Applicant admits the foregoing Findings of Fact and waives any further findings with respect to the above-captioned matter.

### **CONCLUSIONS OF LAW**

Applicant's conduct and the above Findings of Fact constitute sufficient grounds for the imposition of conditions upon Applicant's license to practice medicine in the State of Georgia pursuant to O.C.G.A. §§43-34-8 (effective July 1, 2009, formerly O.C.G.A. §43-34-37) and 43-1-19.

### **ORDER**

The Georgia Composite Medical Board, having considered all the particular facts and circumstances of this case, hereby orders, and the Applicant hereby agrees, that Applicant's license to practice medicine in the State of Georgia shall be reinstated subject to the following terms and conditions:

1.

Beginning on the effective date of the Consent Order, Applicant's licensure shall be subject to a period of probation until terminated by a written order of the Board, with the following terms and conditions:

(a) Continuing Care. Applicant shall continue to be regularly monitored by D. Ray Gaskin, Jr., M.D. or other Board approved addictionologist. Applicant shall abide by all terms

of her continuing care agreement. Any change in addictionologist must be pre-approved by the Board.

(b) Participation in Support Groups. Applicant shall attend: (1) weekly meetings of Caduceus Club; (2) weekly meetings of her continuing care group with Dr. Gaskin; and (3) a minimum of three (3) to four (4) AA meetings per week.

(c) Medication Management. Applicant shall continue monitoring by Dr. Gaskin or another Board approved addictionologist experienced in the use and management of medications prescribed to individuals with a history of addiction, who will report to the Board Applicant's compliance with, and any change in the use and management of, any medications prescribed to Applicant.

(d) Supervision and Monitoring. Applicant shall designate an acceptable workplace supervising ("supervising") physician who will supervise her work, as more fully set forth in paragraph (e) immediately below, and an acceptable treating ("monitoring") physician with whom she will continue therapeutic care and who will monitor any medications prescribed to Applicant. Applicant shall provide a copy of this Order to both the supervising and the monitoring physicians. Within ten (10) days of the effective date of this Order, Applicant shall submit or cause to be submitted written statements from her supervising and monitoring physicians to the Board stating he/she has read this Order and agrees to act as Applicant's supervising/monitoring physician. Applicant shall obtain prior written Board approval for any change in supervising and monitoring physicians.

(e) Supervision. Applicant agrees that her supervising physician, who shall be a licensed physician specializing in the field of psychiatry who works in the same facility as the Applicant, shall monitor Applicant's work and shall review fifty percent (50%) of Applicant's

charts on a monthly basis for six (6) months. Applicant's supervising physician may utilize the services of another physician, if necessary, to perform this task but must personally review a portion of the charts. Applicant shall ensure that the supervising physician's quarterly reports includes information concerning and verification of the chart review. After six (6) months, if supported by the supervising and monitoring physicians, Applicant may petition the Board to lift this requirement. After the Board considers the petition and after Applicant's appearance, if one is requested by the Board, the Board may enter an Order lifting the restriction. Until the Board enters an Order regarding Applicant's petition, Applicant shall work under this restriction.

(f) Abstain from Mood Altering Substances. Applicant shall completely abstain from the consumption of alcohol. Applicant shall also 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, Applicant shall have her treating physician obtain a consultation with the Board approved monitoring physician, who shall notify the Board within ten (10) calendar days of the event.

(g) Reports. Applicant shall submit or cause to be submitted monthly reports from her supervising physician to both the Board and her monitoring physician and quarterly reports from her monitoring physician to the Board regarding her performance and mental/physical condition by, respectively, the first day of each month and by March 31, June 30, September 30 and December 31 of each calendar year, including a report on any medication being prescribed to Applicant. Failure to submit or have such reports submitted in a timely manner shall be considered a violation of the 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 Applicant's condition, which would render Applicant unable to practice with reasonable skill and safety to patients. By executing the Consent Order, Applicant specifically consents for such supervising and monitoring physician or any other facility where Applicant obtains medical treatment to report on Applicant's condition, notwithstanding any privilege provided by state or federal law. Applicant shall obtain prior Board approval for any change in the supervising or monitoring physician.

(h) Random Urine Drug/Alcohol Screens and other Screens. The Board or its representative or Applicant's supervising or monitoring physicians shall have the authority at any time to order Applicant to undergo random witnessed and immediate drug/alcohol urine, hair analysis, biological fluid or blood screen analysis at Applicant's expense. Applicant further agrees that all alcohol/drug screens submitted to the Board pursuant to this paragraph shall be admissible in any administrative hearing concerning the Applicant without the necessity of establishing chain of custody or other testimony to authenticate the test results. Refusal to undergo a properly requested drug/alcohol, biological fluid or blood screen analysis shall be considered a violation of this Consent Order and shall be grounds for revocation of Applicant's license to practice medicine in the State of Georgia.

(i) Work Restrictions.

(1) Work Hours. Applicant shall work no more than forty (40) hours per calendar week, including scheduled on-call hours. When Applicant has worked for at least six (6) months under this restriction, Applicant may petition the Board for modification and/or termination of the work hour restriction. The petition shall contain letters of support from the supervising and monitoring physicians. After the Board reviews the petition supporting documents, the Board may request that Applicant appear before the Board or a committee

thereof prior to lifting the restriction. After the Board considers the petition and after Applicant's appearance, if one is requested by the Board, the Board may enter an Order lifting the restriction. Until the Board enters an Order regarding Applicant's petition, Applicant shall work under this restriction.

(2) Practice Restriction. Applicant's practice of medicine shall be restricted to employment at Pineland Mental Health, Statesboro, GA. Applicant shall not work in another setting unless she has prior written Board approval. After the Board considers the petition and after Applicant's appearance before the Board or a committee thereof, if requested, the Board may enter an Order lifting or modifying the restriction. Until the Board enters an Order regarding Applicant's petition, Applicant shall work under this restriction.

(3) Prescribing of Opioids. Applicant shall not prescribe opioid medications. Applicant may petition the Board to lift or modify this restriction no sooner than one (1) year from the effective date of this Order. The petition shall contain letters of support from the supervising and monitoring physicians. After the Board reviews the petition and supporting documents, the Board may request that Applicant appear before the Board or a committee thereof prior to lifting the restriction. After the Board considers the petition and after Applicant's appearance, if requested, the Board may enter an Order lifting or modifying the restriction. Until the Board enters an Order regarding Applicant's petition, Applicant shall work under this restriction.

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



(k) Periods of Residency Outside Georgia. In the event Applicant should leave Georgia to reside or practice outside of Georgia for periods longer than thirty (30) consecutive days, Applicant 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 Applicant is not actively engaged in practicing as a physician will not apply to the reduction of Applicant's probation period, except as authorized by the Board.

(l) Change of Address/Employment. Applicant shall notify the Board of any change in address of record or employment status within ten (10) days of making the change.

(m) Abide By Laws, Rules and Terms. Applicant shall abide by all State and Federal laws regulating his practice as a physician or relating to drugs, the Rules and Regulations of the Georgia Composite Medical Board and the terms of the Consent Order and monitoring. If Applicant shall fail to abide by such laws, rules or terms, or if it should appear from probation reports submitted to the Board that Applicant is otherwise unable to practice with reasonable skill and safety to patients, or should Applicant violate the criminal laws of the state, including any term of monitoring, if any, Applicant'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. Applicant further agrees that any violation of the Consent Order shall be deemed to be sufficient to authorize the Board to order summary suspension of Applicant'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 Applicant understands that Applicant 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 the Consent Order, Applicant shall supply a copy of the Consent Order, once approved and docketed, and within ten (10) days from receipt of the docketed copy by Applicant, to each hospital or other institution in Georgia where Applicant maintains staff privileges of any kind, and to any person with whom Applicant is associated in practice, including other physicians or physician's assistants or to any person or entity for whom Applicant is employed as a physician in the State of Georgia. Applicant shall also be required to disclose the existence of and provide a copy of the Consent Order to such individuals or entities in connection with any future application for institutional appointment, associated practice, utilization of a physician's assistant, or employment as a physician in the State of Georgia while the Consent Order is in effect. By executing the Consent Order, Applicant specifically consents to any such individuals or entities reporting to the Board information which would affect Applicant's ability to practice medicine with reasonable skill and safety to patients, notwithstanding any privilege provided by state or federal law. Applicant shall document compliance with the condition of monitoring utilizing the form attached hereto as Attachment B, or a substantially similar form.

(o) Termination of Probation. Applicant shall not be eligible to petition for termination of probation until demonstrating five (5) years of sobriety from the effective date of this Consent Order. At such time, Applicant 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 Applicant's supervisor and monitoring physician that said supervisor and monitoring physician agree with terminating probation. The Georgia Composite Medical Board shall review and evaluate the practice of Applicant prior to terminating probation. At

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

2.

Applicant understands this Consent Order is a PUBLIC ORDER of the Board and may be disseminated as such.

3.

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

4.

Approval of this Consent Order by the Georgia Composite Medical Board shall in no way be construed as condoning the Applicant's conduct and shall not be construed as a waiver of any of the lawful rights possessed by the Board.

5.

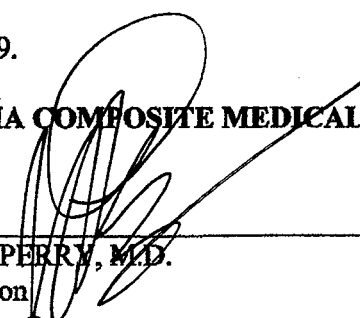
Applicant acknowledges that she is represented by counsel and that she has read the Consent Order and understands its contents. Applicant understands that she has a right to an appearance before the Board, and freely, knowingly, and voluntarily waives that right. Applicant understands that the Consent Order will not become effective until approved and docketed by the Georgia Composite Medical Board. Applicant further understands and agrees that the Board shall

have the authority to review the application file and all relevant evidence in considering the Consent Order. Applicant further understands that the 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 the proceeding, or prejudice the right of the Board to adjudicate the matter. Respondent consents to the terms and conditions contained herein.

Approved, this 5<sup>th</sup> day of November, 2009.

(BOARD SEAL)

**GEORGIA COMPOSITE MEDICAL BOARD**

  
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JOHN T. PERRY, M.D.  
Chairperson

ATTEST:

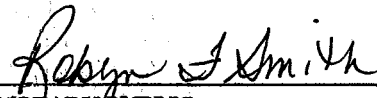
  
\_\_\_\_\_  
LASHARN HUGHES  
Executive Director

CONSENTED TO:

  
\_\_\_\_\_  
SANDRA LEE CHAPKOWSKI, M.D.  
Respondent


[As to Dr. Chapkowski's signature:]

Sworn to and subscribed before me  
this 29 day of October 2009.

  
\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:

**ROBYN F. SMITH**  
NOTARY PUBLIC  
Chatham County - State of Georgia  
My Comm. Expires June 25, 2011

  
\_\_\_\_\_  
FRANCES E. CULLEN, ESQ.  
Attorney for Applicant