

**STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS**

**DEPARTMENT OF HEALTH
BOARD OF EXAMINERS IN DENTISTRY**

IN THE MATTER OF:

D. JAMES PHOTOPOULOS

Dental License Number DEN01424

Controlled Substances Registration Number CDEN01424

Case Number C13-DEN 050

CONSENT ORDER

The Department of Health, Board of Examiners in Dentistry (hereinafter "Board") has investigated a complaint charging Demetrius James Photopoulos, D.D.S. (hereinafter "Respondent") with a civil violation of R.I. Gen. Laws §§ 5-31.1-4.

After consideration by the Department and the Board of Examiners in Dentistry, the following constitute the Findings of Fact with regard to the complaint as to the Respondent.

1. Respondent is a dentist licensed to practice dentistry in the State of Rhode Island and is licensed to prescribe controlled substances in Rhode Island under Rhode Island General Laws, Chapter 21-28, having both a state Controlled Substance Registration and a Federal Drug Enforcement Registration to prescribe controlled substances.
2. Respondent was licensed as a dentist in Rhode Island in 1968.
3. The Investigative Committee of the Board of Examiners in Dentistry has reviewed a complaint that Doctor Photopoulos had prescribed medication for himself and for his wife outside the scope of his dental practice, and Respondent agrees that in doing so he practiced outside the scope of his dental practice.
4. On October 2, 2013, the Director of the Rhode Island Department of Health determined, based upon the finding of the Investigative Committee on the Board of Examiners in Dentistry, to suspend the controlled substances registration issued to Demetrius James Photopoulos.

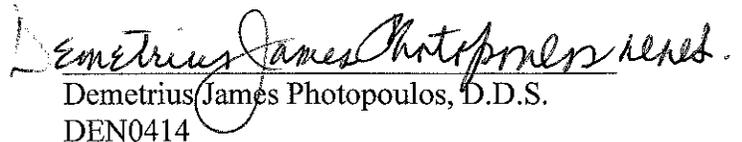
Based on the foregoing, the parties agree as follows:

1. Respondent is a licensed dentist and is able to perform his professional duties without restriction pursuant to the laws of the State of Rhode Island.
2. Respondent admits to the jurisdiction of the Department and hereby agrees to remain under jurisdiction of the Department.
3. Respondent agrees that he will not prescribe medication to himself or to his family members outside the scope of the dental practice.

4. Respondent further agrees that he will complete within six months of the date of this order a course of study intended to address the scope and boundaries of a licensee's rights to prescribe controlled substances. The Investigative Committee of Board of Examiners in Dentistry must approve this course in advance.
5. That the Director of the Rhode Island Department of Health shall, upon adoption of this Consent Order by the Board of Examiners in Dentistry, forthwith reinstate the controlled substances registration issued to Demetrius James Photopoulos, DDS.
6. Respondent has read this Consent Order and understands that it is a proposal of the Department and is subject to the final approval by the Board of Examiners in Dentistry. This Consent Order and the contents thereof are not binding on Respondent until final ratification by the Board.
7. Respondent shall submit an administrative fee to the Board in the form of a check for \$600 payable to the Rhode Island General Treasury.
8. Respondent thereby acknowledges and waives:
 - a) The right to appear personally or by counsel or both before the Board;
 - b) The right to produce witnesses and evidence in his behalf at a hearing;
 - c) The right to cross-examine witnesses;
 - d) The right to have subpoenas issued by the Board;
 - e) The right to further procedural steps except for those specifically contained herein;
 - f) Any and all rights of appeal of this Consent Order;
 - g) Any objection to the fact that this Consent Order will be presented to the Board for consideration and review;
 - h) Any objection to the fact that it will be necessary for the Board to become acquainted with all evidence pertaining to this matter in order to adequately review this Consent Order;
 - i) Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Consent Order to the Board.
9. This Consent Order shall become part of the public record of this proceeding once all parties accept it.
10. Acceptance by the Respondent and approvals by the Department of this Consent Order constitutes an admission of the facts contained herein.
11. Respondent hereby agrees to a Formal Reprimand with respect to his dental license.
12. That should Respondent violate the terms of this Consent Order, Respondent shall be subject to further disciplinary sanctions.

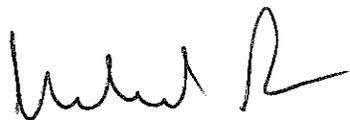
06 November 2013

Date


Demetrius James Photopoulos, D.D.S.
DEN0414


Chairperson
Board of Examiners in Dentistry

Ratified as an Order of the Board of Examiners in Dentistry this 6th day of November 2013.

A handwritten signature in black ink, appearing to read "Michael Fine".

Michael Fine, M.D.
Director of Health
State of Rhode Island
3 Capital Hill
Providence, RI
02908