

Tampa Tribune (Florida)

December 8, 1996

Board orders suspended psychiatrist to do volunteer work

By: CRAIG S. PALOSKY; of The Tampa Tribune

SUMMARY: A well-known Tampa doctor must serve the poor for a year as punishment for his no-contest plea to Medicaid fraud charges.

TAMPA - More than a dozen Florida doctors this year lost their medical licenses as part of a crackdown on health care fraud.

Tampa psychiatrist **Krishan Kumar Batra** almost joined the list Saturday.

Instead, the well-known doctor must work for a year as an unpaid volunteer serving poor people at a health care center.

The Florida Board of Medicine devised the punishment Saturday to settle a disciplinary case against Batra involving Medicaid fraud.

Batra pleaded no contest to fraud charges this fall. Prosecutors claimed he overbilled the government nearly \$ 5,000 for psychiatric services he provided to 18 patients in the subsidized health plan for the poor.

The doctor used the code for individual therapy even when his patients received less expensive group therapy. He also billed for some patients who saw other therapists.

Batra attributed the mistakes to carelessness, not fraud. He told the board he pleaded no contest because he should have known what codes to use.

"There has been no intention, no scheme to defraud Medicaid," the doctor said. "I've learned my lesson. ... I have to pay more attention to my billing practices, the business side of medicine."

The state Agency for Health Care Administration suspended Batra's license last month and asked the board to revoke it Saturday.

Board members, however, took a more lenient tack.

They agreed to lift Batra's suspension provided the doctor spends the next year working exclusively as a volunteer in a public or indigent health center.

"It's a waste of talent to let him sit there suspended when he could do something more constructive," said member Emilio Echevarria, a Tampa surgeon.

After a year, Batra could return to private practice if he completes 2,080 hours of community service. He would remain on medical probation and also would have to pay a \$ 5,000 fine.

If he doesn't do the volunteer work, he would face a three-year suspension.

The board's penalty angered lawyers with the agency, which recently adopted a no-tolerance policy toward fraud. "We don't need these kinds of doctors," agency general counsel Jerome Hoffman told the board. "We will go out and find other physicians who will not steal from the public."

Batra, 50, argued prosecutors misrepresented the facts in his case.

The doctor, who worked in private practice and taught at the University of South Florida, has strong support in Tampa's psychiatric community.

About a dozen doctors attended Saturday's hearing. Many wrote letters praising the psychiatrist's skill and integrity.