

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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(504) _____

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In The Matter Of :
:
PADMINI NAGARAJ, M.D. :
(Certificate No. MD.06609R), :
:
:
Respondent. :
:
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No. 19-I-510

CONSENT ORDER

The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board") following the receipt of apparently reliable information which indicated that Padmini Nagaraj, M.D. ("Dr. Nagaraj"), a physician that is, and was at all times material to the facts and matters alleged herein, licensed by the Board as a physician pursuant to the Louisiana Medical Practice Act, (the "Act"), La. Rev. Stat. §§37:1261-92 and engaged in in the practice of medicine in and around Metairie, Louisiana, plead guilty in the United States District Court for the Eastern District of Louisiana¹ to Conspiracy to Commit Health Care Fraud, a felony count related to the practice of medicine.²

While not admitting to any violation of the Act, Dr. Nagaraj, nonetheless, acknowledges that the foregoing information could provide the Investigating Officer for the Board with probable cause to pursue formal administrative proceedings against her for violations of the Act, La. Rev. Stat. §§37:1285A§37:1285A (1), and (2)³ constituting sufficient cause for the revocation, suspension or such other action against her license to practice medicine in the state of Louisiana as the Board may determine appropriate.

Recognizing her right to notice and administrative adjudication of any charges that may be asserted against her in these proceedings, at which time Dr. Nagaraj would be entitled to be represented by legal counsel, to call witnesses and to present evidence on her 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. Rev. Stat. §49:955-965, Dr. Nagaraj, nonetheless, hereby waives her right to notice and

¹ The case is entitled *United States v. Muhammad Kaleem Arshad, MD, et. al.*, Crim. No. 18-032, Sect. E, Mag. 3, USDC, E.D. LA.

² May 2, 2019 Minute Entry (Doc. No. 88), *U.S. v. Arshad, et. al.*, 18-032, USDC, ED La.

³ La. Rev. Stat. §37: 1285A provides the Board may take against the license of a physician as the result of: (1) "[C]onviction of a crime or entry of a plea of guilty or nolo contendere to a criminal charge constituting a felony under the laws of Louisiana or of the United States;" (2) "[C]onviction of a crime or entry of a of guilty or nolo contendere to any criminal charge arising out of or in connection with the practice of medicine;"

formal adjudication and pursuant to La. Rev. Stat. §49:955(D), consents to entry of the Order set forth hereinafter. Dr. Nagaraj acknowledges that she hereby waives any right to which she may be entitled pursuant to the Louisiana Administrative Procedure Act, La. Rev. Stat. §§49:951 *et seq.*, or which may be afforded to her by any other law to contest or appeal her agreement to or the force and effect of the Board's investigation or this Order in any court or other forum. By her subscription hereto, Dr. Nagaraj 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 she waives any objection to such disclosures under La. Rev. Stat. §49:960. Dr. Nagaraj 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 her or to the Board's capacity to adjudicate such complaint should the Board decline to approve this Order. Accordingly, in consideration of the foregoing and pursuant to the authority vested in the Board by La. Rev. Stat. §37:1360.67, La. Rev. Stat. §49:955(D), and the Consent Order heretofore entered herein;

IT IS ORDERED that the license of Padmini Nagaraj, M.D. to practice medicine in the state of Louisiana, as evidenced by Certificate No. MD.06609R, is hereby placed on **INDEFINITE SUSPENSION**, *however*, that such licensure and Dr. Nagaraj's continuing exercise of rights and privileges granted thereby, shall be conditioned upon and subject to her acceptance of and strict compliance with the following terms, conditions and restrictions:

- (1) **No Reinstatement During Incarceration/Supervised Probation.** Dr. Nagaraj shall not petition or make request of the Board for reinstatement of her license or re-licensure until one (1) year has elapsed from the effective date of this Order or until such time as she has completed her sentence of incarceration (if any) and all supervised probation, whichever is greater. Thereafter, any petition or request for reinstatement or re-licensure by Dr. Nagaraj shall be granted within the sole discretion of the Board with such terms, conditions and restrictions that the Board shall deem appropriate.
- (2) **Effective Date.** This Consent Order shall be effective the date it is approved and accepted by the Board as shown by the signature of its representative below.

IT IS FURTHER ORDERED that upon the completion of any term of incarceration and supervised probation of Dr. Nagaraj, and approval by the Board of any petition by Dr. Nagaraj for reinstatement of her license to practice medicine in this state,

such license shall be placed on **PROBATION** for one (1) year, *however*, such licensure and Dr. Nagaraj's continuing exercise of rights and privileges granted thereby, shall be conditioned upon and subject to her acceptance of and strict compliance with the following terms, conditions and restrictions:

- (1) **Board Approval of Medical Practice.** Upon any reinstatement or re-licensure, Dr. Nagaraj shall provide the Board with information including a complete and accurate description, and such further information as the Board may request, concerning any practice setting in which Dr. Nagaraj intends to practice medicine during the period of probation. Dr. Nagaraj shall not engage in the practice of medicine in any practice setting in advance of the Board's specific written approval of such practice setting.
- (2) **Practice Monitoring and Quarterly Reports.** Prior to re-commencing the practice of medicine, Dr. Nagaraj shall enter into a contract with a Board-approved practice monitor program to monitor and review Dr. Nagaraj's medical practice during the probationary period. The program will work in conjunction with the Board to develop parameters for monitoring Dr. Nagaraj's practice, including a review of Dr. Nagaraj's patient records and charts. The practice monitor shall review no less than ten (10) records per quarter. The practice monitoring program will provide quarterly reports to the Board that will include an opinion as to whether Dr. Nagaraj is practicing medicine and documenting her patient's evaluation and treatment in accordance with the prevailing standards of medical practice. This practice monitoring of Dr. Nagaraj shall not conclude until the Board has received at least four (4) positive quarterly reports from the practice monitor. After the Board has received four (4) positive quarterly reports in which the practice monitoring program has opined that Dr. Nagaraj is practicing in accordance with the prevailing standards of medical practice, Dr. Nagaraj may petition the Board to terminate this condition of her probation, which request the Board in its sole discretion may grant or deny. In the event the Board denies such a request, the practice monitoring will continue at the Board's discretion. Dr. Nagaraj shall bear all costs associated with the practice monitor program.
- (3) **Limitations on Prescribing – Use of Controlled Substances in the Treatment of Chronic Pain and Obesity.** Dr. Nagaraj shall not prescribe controlled substances to patients for the treatment of chronic pain or obesity. Until and unless otherwise modified by the Board, in its sole discretion, the restrictions contained in this provision shall survive the probationary period and remain in effect so long as Dr. Nagaraj shall hold

any form of license or permit to practice medicine in the State of Louisiana.

- (4) **Continuing Medical Education.** Dr. Nagaraj shall obtain not less than fifty (50) credit hours per year during her probationary term through attendance at and participation in continuing medical education programs ("CME"), concentrating on psychiatry, accredited by the American College of Physicians, the American Medical Association, or such other national accrediting association or organization as the Board may approve in writing. On or before the anniversary of the effective date of this Order, Dr. Nagaraj shall cause to be submitted to the Board written certification of the CME programs and credits completed by her during the preceding twelve (12) months.
- (5) **Absence from State/Practice/Effect on Probation.** Should Dr. Nagaraj at any time during the period of probation ordered herein be absent from the state of Louisiana for more than 30 days, relocate to and/or take up residency in another state or country, discontinue practicing medicine for a period of thirty (30) days or more, or should she fail to renew her license to practice medicine in this state, she shall advise the Board in writing. In such instance, the probationary period ordered herein and all terms, conditions and restrictions thereof shall be deemed interrupted and extended and shall not commence to run until Dr. Nagaraj notifies the Board in writing that she has returned to, relocated or taken up residency in, resumed the practice of medicine in this state, or renewed her Louisiana medical license.
- (6) **Certification of Compliance with Probationary Terms.** At least sixty (60) days prior to the conclusion of the probationary term imposed herein, Dr. Nagaraj shall provide the Board with an affidavit certifying that she has complied with each of the terms of probation imposed by this Order. The probationary period and all of its terms and conditions shall be, and shall be deemed to be, extended and continued in full force and effect pending Dr. Nagaraj's compliance with the requirements of this provision.
- (7) **Cooperation with Board's Probation and Compliance Officer.** Dr. Nagaraj shall immediately notify the Board's Probation and Compliance Officer of any change in her current home and

professional addresses and telephone numbers and she shall direct all matters required pursuant to this Consent Order to the attention of the Probation and Compliance Officer, with whom she shall cooperate on all matters and inquiries pertaining to her compliance with the terms, conditions and restrictions of this Order.


- (8) **Probation Monitoring Fee.** For each year of the probationary term Dr. Nagaraj shall pay the Board a probation monitoring fee of Three Hundred (\$300.00) Dollars. Payment of the initial fee shall be due not later than sixty (60) days from the effective date of this Order. All subsequent annual payments shall be due on or before the anniversary date of the initial fee payment.
- (9) **Payment of Fine.** Within one (1) year of the effective date of this Order, Dr. Nagaraj shall pay to the Board a fine in the amount of Two Thousand Five Hundred (\$2,500.00) Dollars.

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

Signed at New Orleans, Louisiana, and effective on this 27th day of April, 2020. 27th NR

**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

By:


Roderick V. Clark, M.D., MBA
President

**ACKNOWLEDGMENT
AND CONSENT**

STATE OF Louisiana
PARISH/COUNTY OF Orleans

I, **PADMINI NAGARAJ, 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 11th day of March, 2020.

P. Nagaraj M.D.

PADMINI NAGARAJ, M.D.

WITNESSES:

Barbara Findley
Signature

Barbara Findley
Printed Name

3817 Johnson, Metairie LA
Address

Nadine Barrois
Signature

Nadine Barrois
Printed Name

7131 Neptune Ct. NOLA 70126
Address

Sworn to and subscribed before me at New Orleans, Louisiana, this 11th day of March, 2020, in the presence of the two stated witnesses.

James H. Gilbert
Notary Public (signature)

James Gilbert, 36468
Printed Name/Notary or La. Bar No. #

