

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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Department of Investigations
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In The Matter of:

ASHWINBACHUBHAISURA, M.D.
(Certificate No. MD. 07322R),

No. 14-I-809

CONSENT ORDER

An investigation conducted by the Investigating Officer ("I/O") for the Louisiana State Board of Medical Examiners (the "Board") has developed apparently reliable information which indicates that Ashwin Bachubhai Sura, M.D. ("Dr. Sura"), a physician who at all pertinent times has been licensed to practice medicine in this state, and principally engaged in the practice of psychiatry in and around Baton Rouge, Louisiana, has engaged in a pattern of prescribing benzodiazepines and other controlled psychiatric medication without appropriate medical indication and in a manner that is below the standard of care.

During the investigation, documents, medical and prescription records were obtained and reviewed by Board staff and an expert consultant, and the I/O met with Dr. Sura to discuss the investigation. The results of the investigation indicate to the satisfaction of the I/O that sufficient cause exists to initiate formal administrative proceedings against Dr. Sura, pursuant to the Louisiana Medical Practice Act, La. Rev. Stat. §§37:1261-92 (the "Act").¹

Dr. Sura cooperated fully with the investigation but does not admit to any violation of the Act. However, he acknowledges that the reported information could provide the basis of formal administrative proceedings against him for violation of the Act and further, that proof of such information upon administrative evidentiary hearing could establish grounds under the Act for the suspension, revocation or imposition of such other terms, conditions or restrictions on his license to practice medicine in the state of Louisiana as the Board might deem appropriate.

¹The Board may take action against a physician's license as a result of: '(6) [P]rescribing, dispensing, or administering legally controlled substances or any dependency-inducing medication without legitimate medical justification therefore or in other that legal or legitimate manner;' and '(14) [C]ontinuing or recurring medical practice which fails to satisfy the prevailing and usually accepted standards of medical practice in this state.'

Recognizing his right to have notice and administrative adjudication of any such charges, at which time he 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. Rev. Stat. §§49:955-965, Dr. Sura, nonetheless, hereby waives his right to notice of charges, formal adjudication and written decision and pursuant to La. Rev. Stat. §49:955(D) consents to entry of the Order set forth hereinafter. Moreover, by his subscription hereto, Dr. Sura also waives any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act, La. Rev. Stat. §§49:951, *et seq.* or which otherwise may be afforded to him by law to contest his agreement to or the force and effect of this document in any court or other forum or body relating to the matters referred to herein. By his subscription hereto, Dr. Sura also hereby authorizes the I/O designated by the Board with respect hereto to present this Consent 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. Rev. Stat. §49:960. Furthermore, Dr. Sura expressly acknowledges that the disclosure of information to the Board by the I/O shall be without prejudice to the I/O's authority to pursue an Administrative Complaint against him or to the Board's capacity to adjudicate such Complaint should the Board decline to approve this Consent Order.

Based upon the information provided, and upon the recommendation of the I/O with respect to this matter, the Board has concluded that its responsibility to ensure the health, safety and welfare of the citizens of this state, pursuant to La. Rev. Stat. §37:1261, 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. Rev. Stat. §37:1285 and La. Rev. Stat. §49:955(D);

IT IS ORDERED that the license of Ashwin Bachubhai Sura M.D., to engage in the practice of medicine in the state of Louisiana, as evidenced by Certificate No. MD. 07322R, is hereby placed **ON PROBATION** for one (1) year ("the probationary term") commencing upon the effective date of this Order; provided, however, that such license and Dr. Sura's continuing exercise of rights and privileges thereunder shall be conditioned upon his acceptance of and strict compliance with the following terms and conditions

(1) Monitoring Physician; Reports. Dr. Sura shall, at his own expense, enter into a relationship with a consulting or monitoring physician, who is approved in writing in advance by the Board or its designee, to review no less than fifteen (15) of his patient records per month and submit written reports every two and one-half months to the Board. Such reports shall address Dr. Sura's professional competency, clinical skills and whether his prescription writing practices for controlled substances are in accordance with the usually accepted and prevailing standards of care. Provided that the Board receives three (3) favorable monitoring reports, Dr. Sura may petition the Board to terminate further monitoring under this paragraph, which request the Board may grant or deny in its sole discretion.

(2) Continuing Medical Education – Courses on Proper Prescribing. Within ninety (90) days of the date of this Order, Dr. Sura shall provide written confirmation that he has attended and successfully completed one or more courses of study on the proper prescribing of controlled substances. All courses required by this provision shall be comprehensive in nature (greater than 20 credit hours) and shall be acceptable to and pre-approved in writing by the Board or its designee.

(3) Payment of Fine. Within six (6) months of the effective date of this Order Dr. Sura shall pay the Board a fine in the amount of Five Thousand and no/100 (\$5,000.00) Dollars.

(4) Effect of Violation/Sanction. By his subscription hereto, Dr. Sura acknowledges that his receipt of written notification that the Board has received apparently reliable information which indicates his failure to comply with the requirements set forth by this Order in any respect shall, without the need for formal hearing or for providing him with any right to which he may otherwise be entitled pursuant to the Louisiana Administrative Procedure Act, La. Rev. Stat. §§49:951 et seq., or which otherwise may be afforded to him by law, constitute his irrevocable consent to the immediate suspension of his license to practice medicine in this state pending a hearing before the Board and the conclusion of administrative proceedings by the issuance of a final decision following administrative adjudication of such charges.

(5) Probation Monitoring Fee. Dr. Sura shall pay the Board a probation monitoring fee of Three Hundred (\$300.00) Dollars. Payment of such fee shall be due not later than sixty (60) days following the effective date of this Order.

(6) Absence from State/Practice; Effect on Probation. Should at any time during the probationary term Dr. Sura be absent from the state of Louisiana, relocate to and/or take up residency in another state or country, or discontinue practicing as a physician, for a period of thirty (30) days or more, he will so advise the Board in writing. In such instance, the probationary term shall be deemed interrupted and extended for no less than the period of time during which he was not engaged in practice or was absent from the state of Louisiana; however, all terms and conditions may continue to be in effect as ordered or may be modified or altered as needed at the Board's discretion.

(7) Cooperation with Board's Probation and Compliance Officer. Dr. Sura shall immediately notify the Board's Probation and Compliance Officer of any change in his current home and professional addresses and telephone numbers and he shall direct all matters required pursuant to this Consent Order to the attention of the Probation and Compliance Officer, with whom he shall cooperate on all matters and inquiries pertaining to his compliance with the terms and conditions of this Order.

(8) Certification of Compliance with Probationary Terms. At least sixty (60) days prior to the conclusion of the probationary term Dr. Sura shall provide the Board

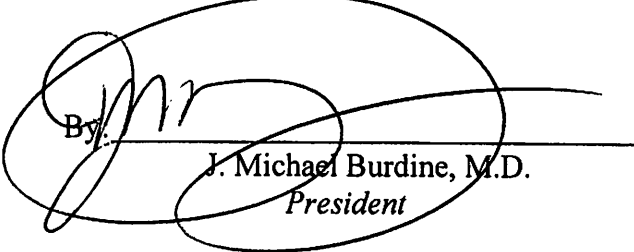
with an affidavit certifying that he has complied with each of the terms of this Order. The probationary term and all of its conditions shall be, and shall be deemed to be, extended and continued in full force and effect pending compliance with the requirements of this provision.

IT IS FURTHER ORDERED that any violation or failure of strict compliance with any of the terms or conditions set forth in this Order by Dr. Sura shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for such other action against Dr. Sura'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. Rev. Stat. §37:1285.

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

Signed in New Orleans, Louisiana, and effective on this 10th day of Oct., 2016.

**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

By: 
J. Michael Burdine, M.D.
President

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**ACKNOWLEDGMENT
AND CONSENT**

STATE OF LOUISIANA
PARISH OF _____

I, ASHWIN BACHUBHAI SURA, M.D., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 27th day of September, 2016.

Ashwin Sura
ASHWIN BACHUBHAI SURA, M.D

WITNESSES:

Sib. D. Brian
Signature

Sib. D. Brian
Printed Name

400 Convention St Ste 700
Address

Baton Rouge, LA
City, State, Zip Code

[Signature]
Signature

Jinu Patel
Printed Name

2402 Fox Hollow St.
Address

Lake Charles, LA 70605
City, State, Zip Code

Sworn to and subscribed before me at Baton Rouge, Louisiana, this 27th day of September, 2016, in the presence of the two stated witnesses.

Deborah Johnson Juneau
Notary Public (Signature & Seal)



Deborah Johnson Juneau
Notary Public
State Of Louisiana
LA Bar Roll No. 26354
My Commission is for Life

Printed Name/Notary Number (or Stamp)