



LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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BEFORE THE LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

No. 2022-I-435

IN THE MATTER OF:

CONSENT ORDER

ARAVINDA KURELLA RAO, M.D.
(Credential No. MD.026058),
Respondent

Aravinda Kurella Rao, M.D. ("Dr. Rao") is a physician licensed to practice medicine in the State of Louisiana as evidenced by Credential No. MD.026058, who at all relevant times was engaged in the practice of ophthalmology in and around Kenner, Louisiana.

The above-entitled proceeding was docketed for investigation by the Investigating Officer of the Louisiana State Board of Medical Examiners (the "Board") upon receipt of information indicating that Dr. Rao, who has a history of alcohol dependence, had a return to use. Specifically, Dr. Rao was subject to a voluntary confidential monitoring contract with the Healthcare Professionals Foundation of Louisiana (the "HPFL") Physicians' Health Program (the "PHP"), when she had a return to use involving alcohol in May 2022. Dr. Rao thereafter entered treatment at a Board-approved treatment facility and completed a relapse program that included an inpatient stay. Following discharge from relapse treatment, Dr. Rao's treating providers opined that she would be able to practice as a physician with skill and safety provided that she signs and complies with a monitoring contract with the HPFL that includes Caduceus, attends weekly aftercare meetings for two (2) years, participates in mirror imaging once a month for three months, and then once a quarter for the first year post discharge, and attends individual therapy at a frequency and duration to be decided at the discretion of her treating therapist.

Dr. Rao subsequently executed an appropriate HPFL monitoring agreement, implemented a continuing care plan, and met with and discussed her treating providers' recommendations with the Director of Investigations assigned with respect hereto. Provided that she complies with all of the terms and conditions in her HPFL monitoring agreement and otherwise outlined below, the Board finds sufficient support for the conclusion that Dr. Rao is capable of practicing medicine with skill and safety to patients.

As evidenced by her subscription hereto, Dr. Rao acknowledges the substantial accuracy of the foregoing information and that such acknowledgment and the reported information would provide the Investigating Officer with probable cause to pursue administrative proceedings against

her for violations of the Louisiana Medical Practice Act (the "Act"), La. R.S. 37:1285(A)(25)¹ and that proof of such information upon administrative evidentiary hearing would establish sufficient cause to take action against her license to practice medicine in the State of Louisiana. In consideration of this finding, accordingly, and on the recommendation of the Investigating Officer, the Board has concluded that its responsibility to ensure the health, safety and welfare of the citizens of this state against the unprofessional, unqualified and unsafe practice of medicine, La. R.S. 37:1261, will be effectively served by entry of the Order set forth hereinafter by consent.

Recognizing her right to notice and administrative adjudication of any charges that may be asserted against her in these proceedings, at which time Dr. Rao 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. R.S. 49:975² *et seq.*, Dr. Rao, nonetheless, hereby waives her right to notice and formal adjudication and pursuant to La. R.S. 49:975(D) consents to entry of the Order set forth hereinafter. Dr. Rao acknowledges that she hereby waives any right to which she may be entitled pursuant to the Louisiana Administrative Procedure Act, La. R.S. 49:950 *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 Consent Order in any court or other forum. By her subscription hereto, Dr. Rao also hereby authorizes the Investigating Officer 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 she waives any objection to such disclosures under La. R.S. 49:977.2.³ Dr. Rao 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 Consent Order. Accordingly, in consideration of the foregoing and pursuant to the authority vested in the Board by La. R.S. 37:1285 and La. R.S. 49:975(D);

IT IS ORDERED that the license of Aravinda Kurella Rao, M.D., to engage in the practice of medicine in the State of Louisiana, as evidenced by Credential No. MD.026058, be and the same is hereby, placed **ON PROBATION** for a period of five (5) years from the effective date of this Order, or until the successful completion of Dr. Rao's HPFL contract (executed on June 22, 2022), whichever occurs first (the "probationary period"), *provided, however*, that Dr. Rao's continuing exercise of the 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 The Board may take action against a medical licensee for "(25) Inability to practice medicine with reasonable skill or safety to patients because of mental illness or deficiency; physical illness, including but not limited to deterioration through the aging process or loss of motor skills; and/or, excessive use or abuse of drugs, including alcohol[.]" La. R.S. 37:1285(A)(25).

² Redesignated from La. R.S. 49:955 by 2022 La. Act No. 663, eff. Aug. 1, 2022.

³ Redesignated from La. R.S. 49:960 by 2022 La. Act No. 663, eff. Aug. 1, 2022.

- (1) **Continuing Treatment, Participation in HPFL PHP, Reports to Board.** Dr. Rao shall continue to maintain a monitoring agreement with the HPFL PHP for a period of no less than five (5) years. Dr. Rao shall continue in, abide by and strictly adhere to all recommendations for ongoing treatment and monitoring which are contained in her current monitoring agreement and any amendments thereto, or any subsequent agreement or amendments thereto which may be recommended by the HPFL PHP as well as those recommended by her treating physicians and those prescribed by any other health care provider involved in her care to the extent that they continue to follow her. Dr. Rao shall, in addition, authorize and cause her treating and monitoring physicians and/or the HPFL to submit to the Board or its designee, not less frequently than quarterly, written reports and/or verbal reports, should the Board or its designee desire the latter, on her then-current treatment diagnosis, prognosis, course of treatment, her fitness and ability to practice medicine with reasonable skill and safety to patients, and her compliance with the terms, conditions and restrictions of this Order and her HPFL PHP monitoring agreement.
- (2) **Maintenance of Complete Abstinence.** Dr. Rao shall maintain complete and total abstinence from the use of alcohol, controlled and/or any mood-altering substance for as long as she holds a license to practice medicine in this state, except as may be prescribed by a treating physician other than herself for a *bona fide* medical condition. Dr. Rao shall personally inform the HPFL and the Board's Compliance Officer, both orally and in writing, within forty-eight (48) hours of the prescription or administration of any controlled or mood-altering substance received by her from any physician for treatment of a *bona fide* medical condition. If the prescription is from another physician, she shall also inform her treating/monitoring physician in this same manner.
- (3) **Drug and Alcohol Screens.** Dr. Rao shall submit to periodic, unannounced blood, urine, saliva and/or hair collection and/or other screens, including EtG and PETH levels, to detect the presence of alcohol or other mood-altering substances for the duration of the probationary period. Such screenings shall be random and shall occur at a frequency determined by the HPFL or its designee. Unless and until this condition is modified or rescinded by the Board or its designee, Dr. Rao shall authorize and cause such physician or testing facility and/or the HPFL to report the results of such drug screens to the Board or its designee not less frequently than quarterly throughout the probationary period.
- (4) **Participation in Required Alcoholics Anonymous Meetings.** Dr. Rao shall participate in Alcoholics Anonymous ("AA") meetings at the specified frequency required by her monitoring agreement with HPFL PHP.
- (5) **Participation in Required Caduceus Groups.** Dr. Rao shall participate in weekly Caduceus groups as specified in her monitoring agreement with HPFL PHP.
- (6) **Aftercare and Outpatient Programs.** Dr. Rao shall, within thirty (30) days of the effective date of this Order, provide confirmation that she is enrolled in individual

aftercare on a weekly basis that is consistent and compliant with her HPFL PHP monitoring agreement and that is acceptable to and has been approved by the Board or its designee in writing. Dr. Rao shall attend such aftercare for a minimum of two (2) years. Dr. Rao shall update the Board or its designee annually on her continuing participation in the aftercare program. Dr. Rao shall also return to an outpatient facility approved by the Board or its designee for mirror imaging once a month for the first quarter of her contract, and then once a quarter for the first year of the contract. Thereafter, any additional outpatient and/or imaging requirements shall occur on a basis to be determined by her outpatient facility.

- (7) **Individual Therapy.** Dr. Rao shall, within thirty (30) days of the effective date of this Order, provide confirmation that she is enrolled in individual therapy with a treating professional that is consistent with her evaluator's recommendations and her HPFL monitoring agreement and who has been approved by the Board or its designee in writing. Dr. Rao shall meet with her therapist on an individual basis at a frequency and duration as determined by her therapist. Dr. Rao shall further ensure that her approved therapist provides a quarterly written report to the Board or its designee confirming her participation in individual therapy.
- (8) **Laws and Rules for Louisiana Physicians Online Course; Verification.** Within six (6) months of the effective date of this Order, Dr. Rao shall complete the free online course "Laws and Rules for Louisiana Physicians," which may be accessed through the following link, <https://www.lsbme.la.gov/content/board-orientations-online-courses>. Upon completion of the course, Dr. Rao shall complete the verification process and obtain a certificate of completion that will be submitted to the Board or its designee by the course provider.
- (9) **Board Access to Treatment Records and Reports.** Dr. Rao shall, and does by her subscription hereto, authorize any physician, healthcare professional or any institution at which she undergoes treatment, as well as any physician under whose care she may come at such an institution, who has or may hereafter evaluate, diagnose, treat or monitor her, to provide the Board or its designee with copies of all medical reports relating to Dr. Rao's history, examination, evaluation, diagnosis, treatment and prognosis and to provide the Board or its designee with written and verbal reports relative thereto. Dr. Rao expressly waives any privilege that may otherwise be afforded the disclosure of such records pursuant to state or federal law and acknowledges that she shall immediately provide the Board or its designee written authorization to obtain such records upon request.
- (10) **Notification and Authorization.** Dr. Rao shall provide a copy of this Consent Order and any Superseding Consent Order to each hospital, clinic, facility or other employer or prospective employer at which or for whom she provides services as a physician in this state, and upon request of the Board's probation officer Dr. Rao shall immediately execute and provide, as may be necessary, authorization to obtain any and all peer review records or employment records pertaining to Dr. Rao from any hospital, institution or health care entity at which Dr. Rao has or has had privileges.

- (11) **Cooperation with Board's Probation and Compliance Officer.** Dr. Rao 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 Officers, with whom she shall cooperate on all matters and inquiries pertaining to her compliance with the terms and conditions of this Consent Order, specifically including without limitation providing cooperation and assistance to the Board or its designee in obtaining any records under this Consent Order.
- (12) **Probation Monitoring Fee.** For each year of the probation, Dr. Rao shall pay the Board an annual probation monitoring fee not to exceed four hundred (\$400.00) Dollars, in an amount set by the Board. 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.
- (13) **Effect of Violation/Sanction.** By her subscription hereto, Dr. Rao acknowledges that her receipt of written notification that the Board has received reliable information indicating her failure to comply with the requirements set forth by this Consent Order in any respect shall, without the need for formal hearing or for providing her with any right to which she may otherwise be entitled pursuant to the Louisiana Administrative Procedure Act, La. R.S. 49:950, *et seq.*, or which otherwise may be afforded to her by law, constitute her irrevocable consent to the immediate suspension of her license to practice medicine in this state pending a hearing before the Board and the conclusion of the administrative proceeding by issuance of a final decision following administrative adjudication of such charges.
- (14) **Certification of Compliance with Probationary Terms.** At least sixty (60) days prior to the conclusion of the probationary period imposed herein, Dr. Rao 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. Rao's compliance with the requirements of this provision.

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

IT IS FURTHER ORDERED that this Consent Order shall be effective as of the date it is approved and accepted by the Board as shown by the signature of the Board's representative below.

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

New Orleans, Louisiana, this 2nd day of February, 2023.

LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS

By:



LESTER W. JOHNSON, M.D.
President

Acknowledgment and Consent on Following Page

**ACKNOWLEDGMENT
AND CONSENT**

STATE OF LOUISIANA
PARISH OF _____

I, ARAVINDA KURELLA RAO, 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 1 day of FEBRUARY, 2023.

[Signature]
ARA VINDA KURELLA RAO, M.D.

WITNESSES:

[Signature]
Signature

Mark Henry
Typed Name

One Canwell Blvd, Suite 1100
Street Address

Metairie, LA 70001
City/State/Zip Code

[Signature]
Signature

Diane
Typed Name **DIANE MCKEARAN**

One Canwell Blvd, Suite 1100
Street Address

Metairie, LA 70001
City/State/Zip Code

Sworn to and subscribed before me this 1 day of February, 2023 in the presence of the two stated witnesses.

[Signature]
Notary Public (Signature)

Name: Rory Bellina
Notary/Bar No.: LSBA 35439
Commission expires: upon death

