

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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In The Matter Of
FELIX K. PRAKASAM, M.D.
(Certificate No. 04234R)

No. 00-I-044

CONSENT ORDER

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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 relating to Felix K. Prakasam, M.D. ("Dr. Prakasam"), a physician who at all times material to the facts and matters alleged herein was engaged in the practice of medicine in the state of California, but who is also licensed by the Board to engage in the practice of medicine in the state of Louisiana, as evidenced by Certificate No. 04234R.¹ Such information revealed, more particularly, that administrative charges lodged with the Division of Medical Quality, Medical Board of California (the "California Board"), during the year 1997 alleged that Dr. Prakasam had committed a number of violations of the California Business and Professions Code² by engaging in conduct which was unprofessional and which constituted gross negligence, repeated negligent acts, incompetency, dishonesty or corruption substantially related to the qualifications, functions or duties of a physician, repeated clearly excessive prescribing of drugs, aiding and/or abetting his physician assistant to engage in the unlicensed practice of medicine, and by inaccurate record-keeping and other violations with respect to controlled substances which the physician maintained on his premises.³ In disposition of such charges, Dr. Prakasam

¹Although Dr. Prakasam has not renewed his license since December 31, 1998, the fact that he is entitled to do so for a period of four (4) years from the date of last renewal provides the Board with continuing jurisdiction. La. Adm. C. 46:XLV §419.

²*Accusation, In the Matter of the Accusation against Felix Kelly Prakasam, M.D.*, California Board (Apr. 30, 1997).

³Such charges alleged, *inter alia*, that Dr. Prakasam: (i) engaged or attempted to engage in sexually explicit discussions with two female patients and made unwanted sexual overtures to a third patient; (ii) did not comply with the standard of care in connection with his treatment of each of these same three obesity patients by failing to take an adequate history, perform an appropriate examination, prescribing anorectic medication to them when they were not overweight and by failing to inform such patients of the side-effects of the medication; (iii) created a video taped recording, which he displayed to patients enrolled in his weight loss program that contained false or inaccurate representations regarding weight control; (iv) allowed his physician assistant to prescribe or dispense drugs, including Schedule II-V controlled substances, when he

entered into an agreement with the California Board, whereby which he acknowledged that he had engaged in certain activities which constituted unprofessional conduct and pursuant to which the California Board ordered, among other items, that Dr. Prakasam: (1) undertake specified education courses; (2) maintain a record of all controlled substances prescribed, dispensed or administered; (3) take and successfully pass an oral clinical examination with respect to physician assistant management, prescribing practices and weight control; (4) have his practice monitored by a physician approved by the Board who is responsible for providing periodic reports; (5) have a third party present while examining or treating female patients; and (6) pay the cost of the investigation and probation.⁴

As evidenced by his subscription hereto, Dr. Prakasam acknowledges the substantial accuracy of the foregoing information and that such acknowledgment and the reported information would provide the Investigating Officer herein with probable cause to pursue formal administrative proceedings against Dr. Prakasam for violation of the Louisiana Medical Practice Act, La. Rev. Stat. §37:1295A(13) and (29),⁵ and for the suspension, revocation or imposition of such other terms, conditions or restrictions as the Board might deem appropriate on his right to renewal or reinstatement of licensure or upon any renewed or reinstated license which may be issued to practice medicine in the state of Louisiana.

Recognizing his right to have administrative adjudication of the above 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. §§49:951, *et seq.*, Dr. Prakasam, nonetheless, hereby waives his right to formal adjudication and, pursuant to La. Rev. Stat. §49:955(D), consents to entry of the Order set forth hereinafter. By his subscription hereto, Dr. Prakasam also acknowledges that he 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

was neither present nor available in person or by electronic communication, allowed his physician assistant to practice without direction and supervision and failed to timely review and countersign his physician assistant's entries in his patient charts; and (v) failed to create and maintain complete and accurate records of the medications which he received and dispensed, was unable to account for shortages and overages in two separate audits of his medication inventory, failed to provide adequate security for such medication and allowed controlled substances to be compounded, packaged and/or dispensed by unlicensed office staff during non-office hours when he was not present.

⁴*Stipulated Settlement and Decision, In the Matter of Felix Kelly Prakasam, M.D.*, California Board (Jan. 5, 1998). The Stipulated Settlement and Decision was accepted by the California Board on February 11, 1998, to become effective on March 13, 1998. See: *Decision, In the Matter of Felix Kelly Prakasam, M.D.*, California Board (Feb. 11, 1998).

⁵The Board may take action against the license of an individual, or against his or her right or entitlement to licensure, as a result of '[U]nprofessional conduct,' La. Rev. Stat. §37:1285A(13), or '[T]he refusal of a licensing authority of another state to issue or renew a license, permit, or certificate to practice medicine . . . in that state or the revocation, suspension, or other restriction imposed on a license, permit, or certificate issued by such licensing authority which prevents or restricts practice in that state' La. Rev. Stat. §37:1285A(29).

of this document in any court or other forum relating to the matters referred to herein. By his subscription hereto, Dr. Prakasam also hereby authorizes the Investigating Officer designated by the Board with respect hereto, as well as his legal counsel assisting him in connection herewith, 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. Dr. Prakasam expressly acknowledges that the disclosure of information to the Board by the Investigating Officer or his legal counsel shall be without prejudice to the Investigating Officer's authority to pursue formal administrative charges against him or to the Board's capacity to adjudicate such charges, should the Board decline to approve this Consent Order.

Based upon the information provided, accordingly, and upon the recommendation of the Investigating Officer assigned to this matter, the Board has concluded that its responsibility to insure 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 right or entitlement to reinstatement of licensure to practice medicine in the state of Louisiana of Felix K. Prakasam, M.D., as evidenced by Certificate No. 04234R, shall be, and the same is hereby **INDEFINITELY SUSPENDED** *provided, however*, that Dr. Prakasam's continuing exercise of the rights and privileges thereunder shall be conditioned upon his acceptance of and strict compliance with the following minimum terms, conditions and restrictions:

(A) PRACTICE OF MEDICINE IN LOUISIANA PROHIBITED/COMPLIANCE WITH CALIFORNIA BOARD'S ORDER. Dr. Prakasam shall not engage in the practice of medicine in any form in the state of Louisiana until and unless the Board issues and serves on him a written order reinstating his license to practice in this state. As express conditions to the issuance of such an order, Dr. Prakasam shall have successfully completed all aspects of the Order imposed upon his medical license by the California Board and he shall have obtained an unrestricted license to practice medicine in that state.

(B) NOTICE OF RELOCATION TO LOUISIANA AND PERSONAL APPEARANCE BEFORE THE BOARD OR DESIGNATED COMMITTEE. Following the satisfaction of those terms set forth in the paragraph (A) above, and in the event that Dr. Prakasam should decide to seek renewal or reinstatement of his license and/or relocate to Louisiana for the purpose of practicing medicine, he shall contact the Board at least sixty (60) days in advance of his desired return to Louisiana to arrange an appearance before the Board or its designee at its next regularly scheduled meeting. At such meeting, Dr. Prakasam shall demonstrate his compliance with each and all of the terms and conditions imposed upon him by the California Board and by this Order, and he shall discuss with the Board his intended plans for

the practice of medicine in this state.

(C) **ADDITIONAL PROBATIONARY TERMS.** In addition to such other terms and conditions as are placed upon his right or entitlement to renewal or reinstatement of his Louisiana license by this Order, Dr. Prakasam hereby consents to, agrees with and acquiesces in the imposition of any additional terms, conditions or restrictions, as well as the length, nature and tenure thereof which, in the sole discretion of the Board, it may deem necessary or appropriate to impose upon any renewed or reinstated Louisiana license should he, at any time in the future, decide to relocate to the state of Louisiana for the purpose of engaging in the practice of medicine.

(D) **VERIFICATION OF COMPLIANCE/PROBATION OFFICER.** Dr. Prakasam shall immediately notify the Board's Compliance/Probation Officer of any change in his personal and professional addresses and telephone numbers and he shall direct all matters, requests or inquiries relating to this Order to the attention of the Compliance/Probation Officer.

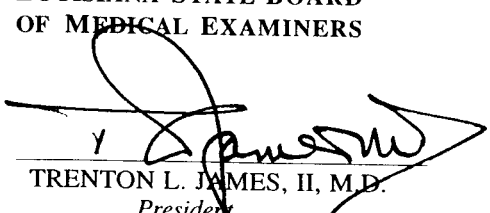
IT IS FURTHER ORDERED that any violation or failure of strict compliance with any of the terms, conditions or restrictions set forth by the California Board Order or by this Order by Dr. Prakasam shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for the revocation and cancellation of Dr. Prakasam's right or entitlement to seek renewal or reinstatement of his license to practice medicine in the state of Louisiana, or for such other disciplinary action 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.

New Orleans, Louisiana, this 20th day of March, 2001.

LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS

By:


TRENTON L. JAMES, II, M.D.
President

**ACKNOWLEDGMENT
AND CONSENT**

I, FELIX K. PRAKASAM, M.D., hereby acknowledge, approve, accept and consent to entry of the above and foregoing Consent Order by the Louisiana State Board of Medical Examiners, this 2nd day of FEBRUARY, 2001.


FELIX K. PRAKASAM, M.D.

WITNESSES:

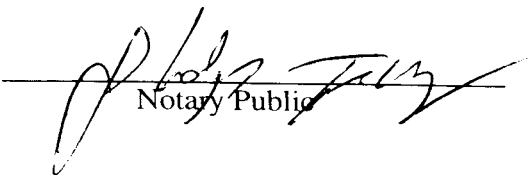

Signature

GLADYS CORIA
Name
1040 RIKER STREET #6
SALINAS, CA 93901
Address


Typed Signature

MARIA EMILIA GONZALEZ
Typed Name
9 PENZANCE STREET
SALINAS, CA 93906
Address

Sworn to and subscribed before me at
SALINAS, CALIFORNIA, this 2nd
day of FEBRUARY,
2001, in the presence of the two
stated witnesses.


Notary Public

