

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS



President

Richard M. Nunnally, M.D.
5000 Hennessy Boulevard
Baton Rouge, LA 70809

F. P. Bordelon, Jr., M.D.
P. O. Box 154
Marksville, LA 71351

Anthony J. Hackett, Jr., M.D.
3970 Louisa
New Orleans, LA 70126

Office of the Secretary-Treasurer

J. Morgan Lyons, M.D.
830 Union Street, Suite 100
Telephone: (504) 524-6763
New Orleans, LA 70112-1499

Vice-President

Ike Muslow, M.D., Vice-Chancellor
Louisiana State University
Medical Center
Shreveport, LA 71130

Gerald R. LaNasa, M.D.
433 Metairie Road, Suite 602
Metairie, LA 70005

Elmo J. Laborde, M.D.
819 St. Landry Street
Lafayette, LA 70506

* * * * *

IN THE MATTER OF
RATNUM B. NAGALLA, M.D.
a/k/a Baby Ratnum Nagalla, M.D.
(Certificate No. 03803R)
Respondent

* * * * *

* F I N A L

* D E C I S I O N

TO: Ratnum B. Nagalla, M.D.
P. O. Drawer 699
Winnfield, LA 71483-0669

A formal administrative hearing was convened before the Louisiana State Board of Medical Examiners ("Board") on December 9, 1987 to adjudicate alleged, specified violations of the Louisiana Medical Practice Act by Ratnum B. Nagalla, M.D. ("Dr. Nagalla"), to-wit: "conviction of a crime or entry of a plea of guilty or nolo contendere to a criminal charge," LSA-R.S. 37:1285(1) and "prescribing, dispensing, or administering habit forming or other legally controlled substances in other than a legal or legitimate manner," LSA-R.S. 37:1285(6).

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

A quorum of the Board was present.¹ By notice dated October 23, 1987, Dr. Nagalla was notified of the Formal Administrative Hearing and was represented by Mr. Camille F. Gravel, Jr.

Upon consideration of the evidence presented, pursuant to LSA-R.S. 49:958, the Board renders the following Findings of Fact, Conclusions of Law, and Decision.

FINDINGS OF FACT

1.

The Respondent, Dr. Nagalla, is a physician licensed by this Board, pursuant to the Medical Practice Act of Louisiana ("Medical Practice Act"), LSA-R.S. 37:1261 et seq., to practice medicine in the State of Louisiana. At the time of the events described herein, Dr. Nagalla was so licensed and engaged in the practice of medicine.

2.

An undercover investigation of Dr. Nagalla was conducted by the Louisiana State Police during the years of 1981 and 1982 to determine whether or not Dr. Nagalla was prescribing controlled substances for legitimate medical purposes.

3.

As a result of this investigation, Dr. Nagalla was indicted on seventeen (17) counts of dispensing controlled dangerous substances not in the usual course of practice and not for legitimate medical purposes,

¹The following members of the Board were present: Bernard L. Kaplan, M.D., F. P. Bordelon, M.D. and Ike Muslow, M.D.

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

all in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

4.

On February 26, 1987, Dr. Nagalla pled guilty to the first count of the indictment, charging Dr. Nagalla with the violation of 21 U.S.C. Section 841(a)(1). The drug in question was Fastin (Phentermine), a schedule IV controlled dangerous substance.

5.

On March 31, 1987, Judge F. A. Little, Jr., United States District Judge for the Western District of Louisiana, sentenced Dr. Nagalla to one year imprisonment and a fine of \$7,500.00. Imposition of the sentence as to the imprisonment only was suspended and Dr. Nagalla was placed on supervised probation for a period of three (3) years upon the following terms and conditions: (1) Dr. Nagalla was ordered to pay a fine of \$7,500.00 to the United States on or before May 1, 1987; (2) Dr. Nagalla was ordered to complete 480 hours of community services directed by the United States Probation Office during the first twenty four (24) months of the probation. Dr. Nagalla was further assessed the sum of \$50.00 to Crime Victim's Fund payable to the United States Clerk of Court on or before April 7, 1987.

6.

The criminal charges against Dr. Nagalla were not instituted until approximately 4½ years after the last of Dr. Nagalla's alleged offenses.

7.

Dr. Nagalla has completed all of her probationary conditions as set forth by Judge F. A. Little, Jr., United States District Judge for the

Western District of Louisiana, as reported by Danny D. Harper, United States Probation Officer.

8.

The Board takes note of Dr. Nagalla's submission to the Board (Nagalla No. 1) which includes documentation of her working in community affairs and her past medical education and record.

9.

The Board takes note of a report filed by T.F.C. Lisa D. Graves which indicates that Dr. Nagalla is practicing extreme caution in her practice of medicine, particularly when treating patients with narcotics and other controlled substances.

10.

Dr. Nagalla is currently a full member of the Louisiana National Guard and Dr. Nagalla's Drug Enforcement Administration license is currently under review.

11.

F. A. Little, Jr., United States District Judge for the Western District of Louisiana, wrote the Drug Enforcement Administration with the opinion that Dr. Nagalla has practiced as a responsible physician in the Central Louisiana community at all times subsequent to her offense. Judge Little goes on to recommend Dr. Nagalla be allowed to renew her Drug Enforcement Administration registration.

CONCLUSIONS OF LAW

Based on the foregoing findings of fact, the Board concludes, as a matter of law, that:

1.

Fastin (phentermine) is a controlled substance under Louisiana and Federal law.

2.

By having pled guilty to one count of distribution of controlled dangerous substances in violation of 21 U.S.C. Section 841(a)(1), Dr. Nagalla has provided just cause for action against her license as provided for in LSA-R.S. 37:1285(1) and LSA-R.S. 37:1285(6).

DECISION

Considering the foregoing,

IT IS ORDERED that Dr. Nagalla's license to practice medicine, as evidenced by Certificate No. 03803R, be, and the same is hereby suspended for a period of six (6) months.

IT IS FURTHER ORDERED that the imposition of the foregoing suspension be, and the same is, SUSPENDED and Dr. Nagalla is hereby placed on probation for a period of three (3) years, imposition of which is conditioned on Dr. Nagalla's complying with the following conditions of probation:

1. Dr. Nagalla must demonstrate her completion of fifty (50) hours of American Medical Association Approved Continuing Medical Education credits per year to the Board.
2. Dr. Nagalla must attain the Physicians Recognition Award during each year of her probation.

IT IS FURTHER ORDERED that Dr. Nagalla shall reappear before the Board at the conclusion of her probationary period and demonstrate

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

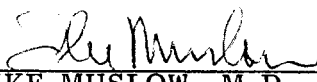
to the Board satisfactory compliance with the conditions of probation as set forth above.

IT IS FURTHER ORDERED that should Dr. Nagalla fail to comply with and satisfy the conditions of probation as set forth above, the suspension described above will become fully executory and effective immediately and it will be deemed just cause for further action against Dr. Nagalla.

IT IS FURTHER ORDERED that any violation of the probationary terms, conditions, and restrictions set forth herein shall be deemed just cause for the suspension or revocation of the medical licensure of Dr. Nagalla, or for such other disciplinary action as the Board deems appropriate, as if such violations were enumerated among the causes as provided in LSA-R.S. 37:1285.

New Orleans, Louisiana, this 21 day of January, 1988.

LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS



IKE MUSLOW, M.D.
Vice-President

IM/st