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FILED

February 10, 2011

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

By: Kim D. Ringler
Deputy Attorney General
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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MEDICAL EXAMINERS
OAL Docket: #BDS 07666-2010N

IN THE MATTER OF THE SUSPENSION	:	
OR REVOCATION OF THE LICENSE	:	
OF	:	Civil Action
	:	
	:	CONSENT ORDER
GANGARAM RAGI, M.D.	:	
LICENSE NO. MA56750	:	
	:	
TO PRACTICE MEDICINE IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the State Board of Medical Examiners (the "Board"), by Paula T. Dow, Attorney General of New Jersey (Kim D. Ringler, Deputy Attorney General, appearing) based on allegations that Gangaram Ragi, M.D. ("Respondent") had committed two acts of dishonesty in filing hospital renewal applications and ten acts of boundary violations by inappropriate touching of nine female patients of his

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dermatology practice during medical examinations. All of the alleged impermissible touching took place no later than 2003.

Respondent had been charged criminally with fourth degree offenses by the Bergen County Prosecutor's Office. Those charges were resolved on July 9, 2008 by way of Respondent's entry into the Pre-Trial Intervention program. Respondent fulfilled the conditions of the P.T.I. Order which required him to apologize to the female patients for harm he had caused them and to complete hours of community service. Since that time, Respondent has completed an excess of 200 hours of community service beyond the 800 hours required by the P.T.I. Order. He also paid a \$50,000 charitable contribution. Respondent also successfully completed an ethics course as directed by the Board in its March 9, 2009 Order although that Order was stayed and later reversed. The course, Intensive Course in Ethics, Boundaries and Professionalism, was taken in September 2009 at Case Western Reserve University School of Medicine in Cleveland, Ohio.

After resolution of the criminal charges, the Attorney General filed an Administrative Complaint with the New Jersey Board of Medical Examiners on October 30, 2008. Following the filing on December 8, 2008 of Respondent's Answer to the Administrative Complaint, the Attorney General moved for summary decision pursuant to N.J.A.C. 1:1-12.5. Pursuant to N.J.S.A.

52:14F-8, N.J.S.A. 45:1-21, N.J.A.C. 1:1-3.1 and N.J.A.C. 3.2(a), the Board heard the motion for summary decision at its regularly scheduled meeting on February 11, 2009. The Board granted the motion by its Order and Decision filed March 9, 2009. The Board imposed a three year suspension of Dr. Ragi's license to practice medicine, with one year of active suspension and the remainder a period of probation, effective March 16, 2009 as well as other conditions. The Appellate Division, Superior Court granted an interim stay on March 4, 2009 and contemporaneously issued a Peremptory Order accelerating the appeal. The Superior Court, Appellate Division, panel subsequently remanded for a plenary hearing in its unpublished opinion of February 26, 2010. In deciding the Attorney General's motion for reconsideration, the Appellate Division panel directed that the findings at the hearing should be made in the alternative, applying two different standards of proof. The New Jersey Supreme Court thereafter denied the Attorney General's petition for certification on June 30, 2010.

An Amended Complaint was filed with the Office of Administrative Law on July 27, 2010. Hearing dates were scheduled before Administrative Law Judge Jesse Strauss who considered in limine motions filed by the Attorney General. ALJ Strauss issued an opinion and order deciding the motions on

January 24, 2011 precluding Respondent from presenting certain expert witnesses. Administrative Law Judge Robert Giordano held a settlement conference with Joseph T. Afflito, Esq. and Deputy Attorney General Ringler on February 1, 2011.

Respondent and the Board are desirous of resolving this matter without further formal proceedings. Respondent therefore consents and agrees to each and every term of this Consent Order without admitting any allegations of wrongful professional conduct.

The Board finding the within disposition adequately protective of the public health, safety and welfare, and other good cause having been shown, the parties have agreed to the following,

IT IS, therefore, on this 10 day of February, 2011,
ORDERED THAT:

1) Respondent is hereby Reprimanded for violations of N.J.S.A. 45:1-21(e) and (h).

2) Respondent shall permanently refrain from treating female patients in any practice setting.

3) Respondent will not attempt at any time in any place to seek a restoration of his privilege or ability to practice medicine by treating female patients.

4) Respondent shall be on probation for a period of five years. The conditions of probation shall include

(a) a six month period of voluntary cessation from the practice of medicine during which time Respondent shall cease and desist from the practice of medicine in any form or manner beginning on the first day of the month after the filing of this Order. Cessation from practice shall include but not be limited to refraining from rendering professional services; providing an opinion as to professional practice or its application; representing himself as eligible to practice; occupying, sharing or using office space in which another licensee provides health care services; entering the premises of his medical office; allowing his provider number to be used by any other licensee, or receiving income generated by the provision of medical services rendered during the six months cessation;

(b) Respondent shall undergo a psycho-sexual evaluation at the Joseph J. Peters Institute in Philadelphia, Pennsylvania or Board approved equivalent;

(c) Respondent shall comply with all recommendations provided and conditions suggested by the Peters Institute or Board approved equivalent including but limited to participation in the Professional Assistance Program;

(d) Respondent waives any privileges and his right to confidentiality with respect to the evaluation, findings and recommendations of the Peters Institute or Board approved equivalent and agrees that the Board may have unrestricted access to those records, findings and communications.

5) Respondent having provided proof of successful completion of a Board approved ethics course shall complete a Board approved recordkeeping course at his own expense and demonstrate successful completion to the Board. Successful completion means that all sessions were attended, all assignments were properly and appropriately completed, and a passing grade was achieved which was unconditional and without reservation. Respondent shall additionally be responsible to ensure that the course provider(s) submits written confirmation to the Board that Respondent attended and successfully completed the course;

6) Respondent shall pay costs of \$25,000 by certified check or money order, payable to the State of New Jersey, and sent to William Roeder, Executive Director, Board of Medical Examiners, Executive Director, P.O. Box 183, Trenton, NJ 08625-0183 within thirty days of the filing of this Order.

(7) Respondent shall pay fines of \$225,000 by certified check or money order, payable to the State of New Jersey, and

sent to William Roeder, Executive Director, Board of Medical Examiners, Executive Director, P.O. Box 183, Trenton, NJ 08625-0183 within thirty days of the filing of this Order.

(8) Any violation of the above terms and conditions will result in revocation. Respondent by his agreement hereto and signature below acknowledges that no further proceedings will be necessary prior to revocation in the event of a violation of any of the above terms and conditions. The Board shall provide Respondent with notice of revocation and afford Respondent seven business days to provide proof that no violation occurred. Absent such proof provided within seven days of the notice of revocation, Respondent's license to practice medicine shall be revoked.

9) To the extent applicable, Respondent shall comply with the portion of the standard "Directives" of the Board pertaining to licensees who have been disciplined which is made a part of the within Order.

NEW JERSEY STATE BOARD OF
MEDICAL EXAMINERS

By: _____


Paul T. Jordan, M.D.
President

I have read and understand
the above Order and I agree
to abide by its terms.

Gangaram Ragi
Gangaram Ragi, M.D.

Dated: Feb 3, 2011

Consented to as to form:
Afflito, Raimoni & Afflito
Attorneys for Respondent

Joseph T. Afflito
By: Joseph T. Afflito, Esq.

Dated: Feb 3, 2011