

FILED

July 11, 2012
NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MEDICAL EXAMINERS

In the Matter of:

KOTTA M. RAMAMURTHY, M.D.

CONSENT ORDER

This matter was opened before the New Jersey State Board of Medical Examiners (the "Board") upon the Board's receipt of a report from the Medical Practitioner Review Panel (the "Panel") detailing findings and recommendations made by the Panel at the conclusion of an investigation of information reported by JFK Medical Center, Edison, New Jersey. Specifically, JFK Medical Center reported that the clinical privileges of respondent Kotta M. Ramamurthy, M.D., were suspended for a period of ninety days on November 8, 2010, following peer review of the death of patient M.M.

The Panel considered available information regarding this matter, to include investigative records and reports from JFK Medical Center, patient records, and testimony that was offered by respondent when he appeared before the Panel, *pro se*, on April 20, 2012. Upon review thereof, the Panel found that Dr.

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Ramamurthy engaged in unethical conduct - specifically, patient abandonment - when he abandoned the care of patient M.M., who had presented to JFK's emergency room with complaints of "diffuse abdominal pains" on June 10, 2007.

Respondent was initially consulted regarding M.M. by telephone on June 11, 2007. At or about 8:00 p.m., respondent had a telephone conversation with nursing staff regarding M.M.'s condition and care. Respondent then became primarily responsible to provide care to M.M., and formed a physician-patient relationship with M.M., when he gave telephone orders for the performance of a CAT scan, and ordered Demerol, Vistaril and renewed intravenous fluids. Respondent also advised that he would be in to examine patient M.M. early the following morning.

Dr. Ramamurthy in fact did not examine M.M. the following morning, but did arrive at JFK Hospital at or about 1:00 p.m. Angela Wei, R.N., testified during hospital proceedings regarding this matter that Dr. Ramamurthy then examined M.M., told M.M. that he was going to perform surgery, told M.M. that he may have to remove part of her colon, and called the operating room to schedule her surgery. Thereafter, however, upon examining the patient record, Nurse Wei testified that Dr. Ramamurthy became

aware that M.M. was a "self-pay" patient, at which time he cancelled the surgery and left the area. Respondent failed to contact any other surgeon to perform the needed surgery, and failed to make any further arrangements for M.M.'s care. Ultimately, surgery was performed by another surgeon, however M.M. died while still hospitalized at JFK four days later.

The Board has reviewed the report made by the Panel, and has ratified and adopted all findings made by the Panel. The Board concludes that respondent's abandonment of patient M.M. was an act of professional misconduct, and therefore concludes that grounds for disciplinary action against respondent exist pursuant to N.J.S.A. 45:1-21 (e).

The parties desiring to resolve this matter without need for the filing of an administrative complaint and additional administrative proceedings, and the Board being satisfied that need for such proceedings is obviated by the entry of this Order, and finding that good cause exists to support the entry of this Order:

IT IS on this 11th day of July, 2012

ORDERED and AGREED:

1. The license of respondent Kotta Ramamurthy, M.D.,

is hereby suspended for a period of one year, the entirety of which shall be stayed and served as a period of probation provided that respondent complies with all other terms of this Order. In the event that respondent fails to comply with any terms of this Order, to include the requirement in paragraph 2 below that he successfully complete a course in medical ethics within six months of the date of entry of this Order, any remaining portion of the one year period of suspension ordered herein shall be immediately activated and shall thereafter be served as a period of active suspension.

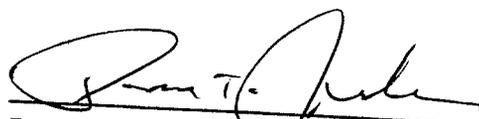
2. Respondent shall, within six months of the date of entry of this Order, attend and successfully complete a Board approved course in medical ethics. Respondent shall be required to secure pre-approval from the Board for any course that he may propose taking to satisfy the requirements of this paragraph, and shall be further required, upon his completion of the course, to ensure that proof of his attendance at, and successful completion of, the course is provided to the Board by the course provider.

3. Respondent is hereby assessed an administrative penalty in the amount of \$10,000 in four equal quarterly payments. The first payment of \$2500 shall be due on the date of entry of

this Order (July 11, 2012); a second payment of \$2500 shall be due on or before October 11, 2012; a third payment of \$2500 shall be due on or before January 11, 2013 and a final payment of \$2500 shall be due on or before April 11, 2013.

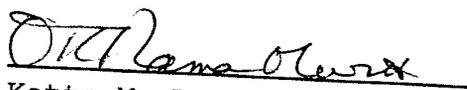
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By:



Paul T. Jordan, M.D.
Board President

I represent that I have carefully read and considered this Order, and consent to the entry of the Order by the Board.


Kotta M. Ramamurthy, M.D.

Dated:

6/19/12

**NOTICE OF REPORTING PRACTICES OF BOARD
REGARDING DISCIPLINARY ACTIONS**

Pursuant to N.J.S.A. 52:14B-3(3), all orders of the New Jersey State Board of Medical Examiners are available for public inspection. Should any inquiry be made concerning the status of a licensee, the inquirer will be informed of the existence of the order and a copy will be provided if requested. All evidentiary hearings, proceedings on motions or other applications which are conducted as public hearings and the record, including the transcript and documents marked in evidence, are available for public inspection, upon request.

Pursuant to 45 CFR Subtitle A 60.8, the Board is obligated to report to the National Practitioners Data Bank any action relating to a physician which is based on reasons relating to professional competence or professional conduct:

- (1) Which revokes or suspends (or otherwise restricts) a license,
- (2) Which censures, reprimands or places on probation,
- (3) Under which a license is surrendered.

Pursuant to 45 CFR Section 61.7, the Board is obligated to report to the Healthcare Integrity and Protection (HIP) Data Bank, any formal or official actions, such as revocation or suspension of a license (and the length of any such suspension), reprimand, censure or probation or any other loss of license or the right to apply for, or renew, a license of the provider, supplier, or practitioner, whether by operation of law, voluntary surrender, non-renewability, or otherwise, or any other negative action or finding by such Federal or State agency that is publicly available information.

Pursuant to N.J.S.A. 45:9-19.13, if the Board refuses to issue, suspends, revokes or otherwise places conditions on a license or permit, it is obligated to notify each licensed health care facility and health maintenance organization with which a licensee is affiliated and every other board licensee in this state with whom he or she is directly associated in private medical practice.

In accordance with an agreement with the Federation of State Medical Boards of the United States, a list of all disciplinary orders are provided to that organization on a monthly basis.

Within the month following entry of an order, a summary of the order will appear on the public agenda for the next monthly Board meeting and is forwarded to those members of the public requesting a copy. In addition, the same summary will appear in the minutes of that Board meeting, which are also made available to those requesting a copy.

Within the month following entry of an order, a summary of the order will appear in a Monthly Disciplinary Action Listing which is made available to those members of the public requesting a copy.

On a periodic basis the Board disseminates to its licensees a newsletter which includes a brief description of all of the orders entered by the Board.

From time to time, the Press Office of the Division of Consumer Affairs may issue releases including the summaries of the content of public orders.

Nothing herein is intended in any way to limit the Board, the Division or the Attorney General from disclosing any public document.