



# State Medical Board of Ohio

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October 14, 1998

Usha Sudindranath, M.D.  
1818 Oakwood Blvd., Suite 311  
Dearborn, MI 48124

Dear Doctor Sudindranath:

Please find enclosed certified copies of the Entry of Order; the Report and Recommendation of R. Gregory Porter, Attorney Hearing Examiner, State Medical Board of Ohio; and an excerpt of draft Minutes of the State Medical Board, meeting in regular session on October 14, 1998, including motions approving and confirming the Findings of Fact and Conclusions of the Hearing Examiner, and adopting an amended Order.

Section 119.12, Ohio Revised Code, may authorize an appeal from this Order. Such an appeal may be taken to the Franklin County Court of Common Pleas only.

Such an appeal setting forth the Order appealed from and the grounds of the appeal must be commenced by the filing of a Notice of Appeal with the State Medical Board of Ohio and the Franklin County Court of Common Pleas within fifteen (15) days after the mailing of this notice and in accordance with the requirements of Section 119.12, Ohio Revised Code.

THE STATE MEDICAL BOARD OF OHIO

  
Anand G. Garg, M.D.  
Secretary

AGG:jam  
Enclosures

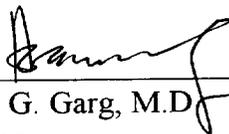
CERTIFIED MAIL RECEIPT NO. Z 233 840 115  
RETURN RECEIPT REQUESTED

*Mailed 11/19/98*

CERTIFICATION

I hereby certify that the attached copy of the Entry of Order of the State Medical Board of Ohio; Report and Recommendation of R. Gregory Porter, State Medical Board Attorney Hearing Examiner; and excerpt of draft Minutes of the State Medical Board, meeting in regular session on October 14, 1998, including motions approving and confirming the Findings of Fact and Conclusions of the Hearing Examiner, and adopting an amended Order; constitute a true and complete copy of the Findings and Order of the State Medical Board in the Matter of Usha Sudindranath, M.D., as it appears in the Journal of the State Medical Board of Ohio.

This certification is made by authority of the State Medical Board of Ohio and in its behalf.



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Anand G. Garg, M.D.  
Secretary

(SEAL)

October 14, 1998

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Date

**BEFORE THE STATE MEDICAL BOARD OF OHIO**

IN THE MATTER OF

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USHA SUDINDRANATH, M.D.

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ENTRY OF ORDER

This matter came on for consideration before the State Medical Board of Ohio on October 14, 1998.

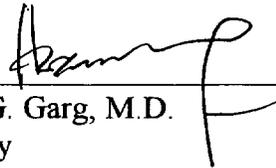
Upon the Report and Recommendation of R. Gregory Porter, State Medical Board Attorney Hearing Examiner, designated in this Matter pursuant to R.C. 4731.23, a true copy of which Report and Recommendation is attached hereto and incorporated herein, and upon the modification, approval and confirmation by vote of the Board on the above date, the following Order is hereby entered on the Journal of the State Medical Board of Ohio for the above date.

It is hereby ORDERED that:

Usha Sudindranath, M.D., be and is hereby REPRIMANDED.

This Order shall become effective immediately upon the mailing of notification of approval by the State Medical Board of Ohio.

(SEAL)

  
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Anand G. Garg, M.D.  
Secretary

October 14, 1998  
Date

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**REPORT AND RECOMMENDATION  
IN THE MATTER OF USHA SUDINDRANATH, M.D.**

The Matter of Usha Sudindranath, M.D., was heard by R. Gregory Porter, Attorney Hearing Examiner for the State Medical Board of Ohio, on August 20, 1998.

**INTRODUCTION**

**I. Basis for Hearing**

- A. By letter dated April 8, 1998, the State Medical Board of Ohio [Board] notified Usha Sudindranath, M.D., that it had proposed to take disciplinary action against her certificate to practice medicine and surgery in Ohio. The Board based its proposal on disciplinary action allegedly taken against Dr. Sudindranath's Michigan license by the Michigan Board of Medicine Disciplinary Subcommittee [Michigan Board].

The Board alleged that an April 14, 1997, Consent Order between Dr. Sudindranath and the Michigan Board constituted "[t]he limitation, revocation, or suspension by another state of a license or certificate to practice issued by the proper licensing authority of that state, the refusal to license, register, or reinstate an applicant by that authority, the imposition of probation by that authority, or the issuance of an order of censure or other reprimand by that authority for any reason, other than nonpayment of fees,' as that clause is used in Section 4731.22(B)(22), Ohio Revised Code."

In addition, the Board advised Dr. Sudindranath of her right to request a hearing in this matter. (State's Exhibit 1)

- B. By letter received by the Board on May 8, 1998, Dr. Sudindranath requested a hearing. (State's Exhibit 2)

**II. Appearances**

- A. On behalf of the State of Ohio: Betty D. Montgomery, Attorney General, by Christopher E. Wasson, Assistant Attorney General.
- B. On behalf of the Respondent: Dr. Sudindranath, having previously been apprised of her right to retain counsel, appeared on her own behalf.

STATE MEDICAL BOARD OF OHIO  
98 SEP 10 PM 6:00

## EVIDENCE EXAMINED

### I. Testimony Heard

Usha Sudindranath, M.D.

### II. Exhibits Examined

A. State's Exhibits 1 through 9: Procedural exhibits.

B. State's Exhibits 10 and 11: Copies of documents from the Michigan Board concerning Dr. Sudindranath.

### III. Proffered Exhibit

Respondent's Exhibit A: Copies of two letters of support written on Dr. Sudindranath's behalf, one dated August 1, 1997, the other dated August 22, 1997; and Dr. Sudindranath's September 1, 1998, cover letter. These items were received by the Board on September 9, 1998, over two weeks after the close of the hearing record on August 20, 1998. Accordingly, they were marked for identification purposes by the Hearing Examiner as Respondent's Exhibit A, and will be held as proffered material for the Respondent.

## SUMMARY OF THE EVIDENCE

All exhibits and transcripts of testimony, even if not specifically mentioned, were thoroughly reviewed and considered by the Hearing Examiner prior to preparing this Report and Recommendation.

1. Usha Sudindranath, M.D., testified that she had obtained her medical education at Kurnool Medical College, Andhra Pradesh, India. Dr. Sudindranath further testified that she had been first in her class in the field of surgery. Following a one-year rotating internship, she was licensed to practice medicine in India. Several months later, in December 1974, Dr. Sudindranath moved to the United States. (Transcript at pages [Tr.] 23-24)

Dr. Sudindranath testified that she had lived with family in Akron, Ohio, for approximately six months after coming to the U.S., then joined a psychiatric residency at Northville Regional Psychiatric Hospital in Northville, Michigan. Following a three year psychiatry residency, Dr. Sudindranath completed two additional years of residency in neurology at Wayne State University, Detroit, Michigan. Dr. Sudindranath testified that she is board certified in psychiatry, and that she is well-respected by her colleagues. (Tr. 24-26)

Dr. Sudindranath stated that she was licensed to practice medicine in Michigan in 1975 and in Ohio shortly thereafter. She further testified that she has "a very impeccable practice, a

98 SEP 10 PM 6:00

large practice,” that she has been helpful to her patients, and that she has been a reliable and hardworking physician in all the hospitals that she has been affiliated with. (Tr. 9, 13)

2. On or about September 23, 1996, the Michigan Board of Medicine Disciplinary Subcommittee [Michigan Board] filed an Administrative Complaint against Dr. Sudindranath. In that complaint, the Michigan Board made the following allegations:
  - On February 17, 1994, Dr. Sudindranath signed an order admitting Patient S.G. to Annapolis Hospital, Westland Center, located in Westland, Michigan, for psychiatric and medical problems.
  - Dr. Sudindranath failed to see Patient S.G. from February 18, 1994, through March 1, 1994, during which time Patient S.G. remained hospitalized. Dr. Sudindranath admitted to an investigator for the Michigan Board that she had forgotten that Patient S.G. had been placed in her care.
  - Dr. Sudindranath further admitted to the investigator that on March 2, 1994, when she realized her oversight, she created and backdated an admission note and daily progress entries in Patient S.G.’s medical records. Dr. Sudindranath further admitted that she had based these notes upon nursing notes created during the period in which Dr. Sudindranath had failed to see and treat Patient S.G.
  - As a result of the foregoing, Dr. Sudindranath resigned from her position at Annapolis Hospital.

(State’s Exhibit [St. Ex.] 10) The Michigan Board further alleged that Dr. Sudindranath’s conduct had violated two sections of the Michigan Public Health Code. In Count I of the complaint, the Michigan Board alleged that Dr. Sudindranath’s conduct had constituted “a violation of general duty, consisting of negligence or failure to exercise due care, including negligent delegation to or supervision of employees or other individuals, whether or not injury results.” Count II alleged that Dr. Sudindranath had violated the minimal standards of care. (St. Ex. 10)

Dr. Sudindranath testified at the present hearing that she had actually signed the February 17, 1997, admission order ten days after the fact. (St. Ex. 10; Tr. 27)

3. On or about April 11, 1997, Dr. Sudindranath and the Michigan Board entered into a Consent Order whereby Dr. Sudindranath’s Michigan license was suspended for a period of thirty days, and placed on probation for a period of one year following reinstatement. In addition, Dr. Sudindranath was fined the sum of \$2,000.00. Moreover, Dr. Sudindranath did “not contest the allegations of fact and allegation of law contained in Count I of the complaint.” Additionally, the Michigan Board dismissed Count II of the complaint.

STATE OF MICHIGAN  
30 SEP 10 PM 5:00

Finally, the Michigan Board found that the allegations of fact contained in the complaint were true. (St. Ex. 11)

Among the probationary requirements imposed by the Michigan Board, Dr. Sudindranath was required to submit to a review of 20 of her patient records. Moreover, she was required to complete 30 hours of Continuing Medical Education in the area of medical/legal issues, in addition to the hours required for license renewal. (St. Ex. 11)

Dr. Sudindranath testified at the present hearing that has completed the terms of the Michigan Consent Order. (Tr. 18-19)

4. Dr. Sudindranath attributed the oversight that led to the Michigan Consent Order as having resulted from a heavy workload and a problem in the institution's system of assigning newly-admitted patients to physicians. (Tr. 9, 13)

Dr. Sudindranath testified that, at the time the incident occurred, she was working at Westland Medical Center [Westland], which was a hospital "that mainly admitted a lot of involuntarily committed patients from a main hospital in Detroit." Dr. Sudindranath testified that Westland had had a contract with a large Detroit hospital to transfer as many patients to Westland as necessary to fill the 90 beds at Westland. Dr. Sudindranath testified that five or six physicians, including Dr. Sudindranath, were called on a rotating basis to accept these patients. (Tr. 13)

Dr. Sudindranath testified that Patient S.G. had been admitted to Westland under her care. Dr. Sudindranath further testified that she had not been informed of this new admission until ten days later. Dr. Sudindranath also testified, however, that she was later told that she had been called at 5:00 a.m. when Patient S.G. was admitted and that she had given orders for Patient S.G. Dr. Sudindranath testified that Patient S.G. had not previously been her patient prior to his admission. (Tr. 13-15, 26)

Dr. Sudindranath testified that she could not remember being called the morning of Patient S.G.'s admission, nor could she remember giving orders concerning that patient at that time. (Tr. 28-31)

Dr. Sudindranath testified that she worked long hours, up to 80 hours per week, and that she made rounds on patients at Westland seven days per week. Dr. Sudindranath testified that she and the other physicians "relied on our nurses to give us the list of patients when we arrived on the floor to make rounds on our patients." Dr. Sudindranath stated that the nurses usually brought the patients' charts to the physicians room and reported how the patients were doing. (Tr. 15, 20)

Dr. Sudindranath testified that Patient S.G.'s chart "never crossed her path" during the period from February 17, 1994, until March 1 or 2, 1994. Dr. Sudindranath testified that,

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90 SEP 10 PM 5:00

every night, the nurses would bring charts for each of the patients admitted under her care, give a report, and ask for orders. Moreover, the nurses would bring patients to a small office for Dr. Sudindranath to see. Dr. Sudindranath testified that Patient S.G. was never brought to her attention. Moreover, the patient never complained about the situation. Dr. Sudindranath testified that Patient S.G. got lost in the system:

Because they have orders and because the patient did not cause any problems and the patient was basically a person who has been in hospital innumerable times and he basically enjoyed staying in the hospital, and he did not ask to see a doctor[.] \* \* \* [H]e was somewhat limited in his abilities, and as most patients would ordinarily inquire about their doctor, he did not, and he did not ask the nurses either. So basically he was just overlooked by the entire system.

(Tr. 29-30)

Dr. Sudindranath testified that she learned of Patient S.G. when a nurse called her for orders. Dr. Sudindranath told the nurse that she did not have Patient S.G. under her care, and the nurse told her, "Yes, you do." The nurse read the patient's chart to Dr. Sudindranath and told Dr. Sudindranath that she had previously given orders for Patient S.G. Dr. Sudindranath testified that she went to see the patient that day, and provided care for the patient until he was discharged one week later. (Tr. 15-17)

Dr. Sudindranath testified that a patient not being seen by the physician for 10 days would have resulted in the hospital not getting paid for that period. Dr. Sudindranath testified that she met with Patient S.G.'s family, and that Patient S.G. "was treated just as if he would have been treated if [Dr. Sudindranath had] seen him all 10 days. So [Dr. Sudindranath] basically supplied the notes for those 10 days and also dictated an admission note." Dr. Sudindranath testified that she knew it was "technically wrong," but that she had no prior experience with such a situation. Dr. Sudindranath further testified that she did it for the sake of the hospital, and that she was not personally compensated for doing so. Moreover, Dr. Sudindranath testified that she was not compensated for the services that she provided to Patient S.G. (Tr. 16-17)

Dr. Sudindranath testified that she did not contact anyone concerning Patient S.G.'s situation when she learned of the error. She stated that the Chief of Staff at Westland was not very accessible, and that the environment there was not very supportive. She stated that she had felt that "the notes were mostly explaining why the patient was in the hospital anyway. [Dr. Sudindranath] wasn't going to bill for it, and [she] did it more as a service to [the] hospital which [she realizes] is wrong because the hospital is the one who turned [her] in." (Tr. 20-21)

STATE OF MICHIGAN  
98 SEP 10 PM 6:00

Dr. Sudindranath testified that physicians are placed under a lot of pressure to reduce the length of patients' hospital stays: "Doctors are simply harassed, and a tremendous amount of pressure is being put on them to explain and document and substantiate the reasons for a patient's stay, and a lot of it is very creative, and some of it doctors have to simply stick their neck out to support the patients, and I thought I—I thought I was trying, I was doing that. So it was an altruistic motive, but I did wrong." (Tr. 21-22)

5. Dr. Sudindranath testified that she was "called by the Chief of Service" a short time later and questioned when she had provided service to Patient S.G. Dr. Sudindranath testified that she told the truth, and explained to him what had happened. (Tr. 17)
6. Dr. Sudindranath indicated that she does not currently practice in Ohio. She further testified, however, that she considers Ohio to be her home state, and that she may want to practice in Ohio someday. (Tr. 24-25, 32)

Dr. Sudindranath asked that the Board take into consideration her dedicated service to her profession and her patients. She testified that she knew that what she did was wrong, and stated that she would never do anything like that again. Dr. Sudindranath further stated that she has become wiser as a result of her mistake, and that she has "learned to accept less responsibility and not take on such a big patient load." Moreover, Dr. Sudindranath testified that she gives good care to her patients. Finally, Dr. Sudindranath testified that she has been punished by the State of Michigan, and asked that the Board also take that into consideration in fashioning its order. (Tr. 31-33)

### FINDINGS OF FACT

On or about April 11, 1997, the Michigan Board of Medicine Disciplinary Subcommittee [Michigan Board] accepted a Consent Order which suspended the certificate of Usha Sudindranath, M.D., for a period of thirty days, followed by a probationary period of one year following reinstatement. In addition, Dr. Sudindranath was fined the sum of \$2,000.00.

The Michigan Board's action was based upon its findings that on February 17, 1994, in the course of her practice as a psychiatrist, Dr. Sudindranath admitted Patient S.G. to Annapolis Hospital, Westland Center, Westland, Michigan, for psychiatric and medical problems. Dr. Sudindranath forgot that she had admitted the patient and, upon realizing her oversight on March 2, 1994, she created and backdated an admission note and daily progress entries in Patient S.G.'s medical records. Dr. Sudindranath based these notes upon nursing notes created during the period in which Dr. Sudindranath had failed to see and treat Patient S.G.

50 SEP 10 PM 6:00

### CONCLUSIONS OF LAW

As set forth in the Findings of Fact, the April 11, 1997, Consent Order between Usha Sudindranath, M.D., and the Michigan Board of Medicine Disciplinary Subcommittee constituted “[t]he limitation, revocation, or suspension by another state of a license or certificate to practice issued by the proper licensing authority of that state, the refusal to license, register, or reinstate an applicant by that authority, the imposition of probation by that authority, or the issuance of an order of censure or other reprimand by that authority for any reason, other than nonpayment of fees,” as that clause is used in Section 4731.22(B)(22), Ohio Revised Code.

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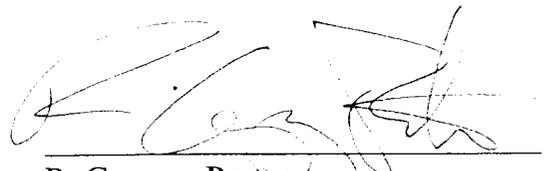
Dr. Sudindranath’s failure to treat a hospitalized patient for a period of nearly two weeks was compounded by her falsifying the patient’s medical records when she realized her mistake. This is a serious breach of the public’s trust. Nevertheless, there is mitigating evidence as well. Dr. Sudindranath cooperated with the Michigan authorities. Dr. Sudindranath’s conduct appears to have been an isolated incident, and her conduct will be unlikely to reoccur. Under these circumstances, the Board is justified in showing greater leniency toward Dr. Sudindranath than her conduct may at first seem to merit.

### PROPOSED ORDER

It is hereby ORDERED that:

1. Usha Sudindranath, M.D., be REPRIMANDED.
2. The certificate of Dr. Sudindranath to practice medicine and surgery in the State of Ohio shall be SUSPENDED for a period of six months.

This Order shall become effective immediately upon the mailing of notification of approval by the State Medical Board of Ohio.



R. Gregory Porter  
Attorney Hearing Examiner



# State Medical Board of Ohio

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## EXCERPT FROM THE DRAFT MINUTES OF OCTOBER 14, 1998

### REPORTS AND RECOMMENDATIONS

Dr. Buchan announced that the Board would now consider the findings and orders appearing on the Board's agenda.

Dr. Buchan asked whether each member of the Board had received, read, and considered the hearing record, the proposed findings, conclusions, and orders, and any objections filed in the matters of: Harold Blumberg, M.D.; Michael L. Herman, M.D.; Waymon D. Jerkins, D.P.M.; Gary Ray Lutz, D.O.; Robert Starr, M.D.; Usha Sudindranath, M.D.; Felix A. Wickremasinghe, M.D.; and Robert A. Williams, M.D. A roll call was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Bhati	- aye
	Dr. Heidt	- aye
	Dr. Somani	- aye
	Dr. Egner	- aye
	Mr. Browning	- aye
	Ms. Noble	- aye
	Dr. Stienecker	- aye
	Dr. Garg	- aye
	Dr. Steinbergh	- aye
	Dr. Buchan	- aye

Dr. Buchan asked whether each member of the Board understands that the disciplinary guidelines do not limit any sanction to be imposed, and that the range of sanctions available in each matter runs from dismissal to permanent revocation. A roll call was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Bhati	- aye
	Dr. Heidt	- aye
	Dr. Somani	- aye
	Dr. Egner	- aye
	Mr. Browning	- aye
	Ms. Noble	- aye
	Dr. Stienecker	- aye
	Dr. Garg	- aye
	Dr. Steinbergh	- aye

Dr. Buchan - aye

In accordance with the provision in Section 4731.22(C)(1), Revised Code, specifying that no member of the Board who supervises the investigation of a case shall participate in further adjudication of the case, the Secretary and Supervising Member must abstain from further participation in the adjudication of these matters.

Dr. Buchan stated that if there were no objections, the Chair would dispense with the reading of the proposed findings of fact, conclusions and orders in the above matters. No objections were voiced by Board members present.

The original Reports and Recommendations shall be maintained in the exhibits section of this Journal.

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USHA SUDINDRANATH, M.D.

Dr. Buchan directed the Board's attention to the matter of Usha Sudindranath, M.D. He advised that objections were filed to Hearing Examiner Porter's Report and Recommendation and were previously distributed to Board members.

**DR. SOMANI MOVED TO APPROVE AND CONFIRM MR. PORTER'S PROPOSED FINDINGS OF FACT, CONCLUSIONS, AND ORDER IN THE MATTER OF USHA SUDINDRANATH, M.D. DR. STEINBERGH SECONDED THE MOTION.**

Dr. Buchan stated that he would now entertain discussion in the above matter.

Dr. Steinbergh stated that Dr. Sudindranath's Michigan license was suspended for a period of 30 days, and she was placed on probation for one year for falsifying a medical record. Dr. Steinbergh stated that she agrees with the Board Order recommending a reprimand and a six-month suspension. She noted that Dr. Sudindranath does not practice in Ohio, and she wondered whether the Board should include monitoring conditions for a year or two should Dr. Sudindranath return to Ohio to practice.

Dr. Egner stated that she would speak against that. She added that she even opposes the proposed suspension of Dr. Sudindranath's license. Dr. Egner stated that this is one case where she felt that Dr. Sudindranath was very honest about what happened. She's not saying that what the doctor did was right. Dr. Sudindranath knows it was wrong. Dr. Egner explained that she felt Dr. Sudindranath gave credible answers as to why she did what she did. This incident did not involve a patient Dr. Sudindranath saw in her own office and then admitted. This was someone assigned to her service. She got her call at 5:30 a.m., and she didn't remember it. Dr. Egner stated that there are times when she personally takes calls in the middle of the night and she awakens in the morning and can't remember every detail of that call.

Dr. Egner stated that she doesn't understand how the ward didn't realize that a physician had never seen this patient and that it took so long for a nurse to call Dr. Sudindranath's office to ask whether she was coming to see the patient. By the time Dr. Sudindranath was contacted, so much time had passed that it looked like a bad, bad situation. What Dr. Sudindranath did was wrong, but Dr. Egner felt that Dr. Sudindranath did explain it, Dr. Sudindranath learned from it, and Dr. Egner is much more in favor of just a reprimand.

**DR. EGNER MOVED TO AMEND THE PROPOSED ORDER IN THE MATTER OF USHA SUDINDRANATH BY SUBSTITUTING AN ORDER OF REPRIMAND. DR. HEIDT SECONDED THE MOTION.**

Dr. Stienecker agreed with Dr. Egner, stating that the system the hospital had for notifying physicians was a terribly flawed system with no fail-safe backup. It was an operational mess, and he could see how one could reasonably miss a patient for two weeks, particularly if she never remembered or knew that they were there and nobody bothered to tell her. The problem he has is with Dr. Sudindranath's going back and falsifying the record. That's kind of a sneaky way to try to make it look right and maybe even be able to bill for it. That's where he took issue. Had Dr. Sudindranath said that the system was flawed and she could not take responsibility for what had happened, that would have been a completely honest response.

Dr. Stienecker continued that, in the long term, the Board will have created a paper trail for this doctor by imposing a reprimand.

Dr. Somani stated that he looked at this case also, and was quite sympathetic to the doctor except where she went back to write notes. That was not a good thing for her to do. However, this incident took place in Michigan. Michigan has reviewed the matter and arrived at its own recommendation, suspending Dr. Sudindranath's license for 30 days. He wondered what additional benefit this Board would gain by suspending Dr. Sudindranath's license for six months. Michigan was the appropriate body to deal with this. Dr. Somani spoke in support of the proposed amendment.

Dr. Heidt stated that this is not too uncommon, and it has happened to him as the head of the orthopaedic department. They'll admit a patient and he won't know about it for days. If you have a good nursing staff, they'll pick it up; but sometimes the nurses will miss it and then you have a problem. Dr. Heidt agreed that the false entry was bad, but he noted that Dr. Sudindranath stated that she made the false entry so that the hospital would get paid. Dr. Heidt agreed that a reprimand was quite sufficient in this case.

Dr. Bhati stated that the only thing that Dr. Sudindranath should have done is record in the patient record that this was a patient she came to know that day, and review the nurse's notes for the last two weeks. Obviously she didn't know any better. She realizes that now and accepts her mistake, and she was penalized in Michigan. Dr. Bhati spoke in support of the reprimand.

Dr. Steinbergh stated that she will vote for a reprimand. She stated that the Board's record of this meeting

will let this physician know that this Board does not condone the fraudulent behavior of falsifying medical records. That's the important issue here. Dr. Steinbergh added that she thinks the Board understands the process that failed in that particular hospital.

A vote was taken on Dr. Egner's motion to reprimand:

VOTE:	Mr. Albert	- abstain
	Dr. Bhati	- aye
	Dr. Heidt	- aye
	Dr. Somani	- aye
	Dr. Egner	- aye
	Mr. Browning	- aye
	Ms. Noble	- aye
	Dr. Stienecker	- aye
	Dr. Garg	- abstain
	Dr. Steinbergh	- aye
	Dr. Buchan	- aye

The motion carried.

**DR. HEIDT MOVED TO APPROVE AND CONFIRM MR. PORTER'S PROPOSED FINDINGS OF FACT, CONCLUSIONS, AND ORDER, AS AMENDED, IN THE MATTER OF USHA SUDINDRANATH, M.D. DR. BHATI SECONDED THE MOTION. A vote was taken:**

VOTE:	Mr. Albert	- abstain
	Dr. Bhati	- aye
	Dr. Heidt	- aye
	Dr. Somani	- aye
	Dr. Egner	- aye
	Mr. Browning	- aye
	Ms. Noble	- aye
	Dr. Stienecker	- aye
	Dr. Garg	- abstain
	Dr. Steinbergh	- aye
	Dr. Buchan	- aye

The motion carried.



# State Medical Board of Ohio

77 S. High Street, 17 Floor • Columbus, Ohio 43266-0313 • 614/466-3934 • Website: [www.state.oh.us/med](http://www.state.oh.us/med)

April 8, 1998

Usha Sudindranath, M.D.  
18770 Doris  
Livonia, MI 48152

Dear Doctor Sudindranath:

In accordance with Chapter 119., Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio intends to determine whether or not to limit, revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery, or to reprimand or place you on probation for one or more of the following reasons:

- (1) On or about April 14, 1997, the Michigan Board of Medicine Disciplinary Subcommittee accepted a Consent Order which suspended you for a period of thirty (30) days, placed you on probation for one (1) year commencing upon reinstatement of suspended license and assessed a fine of \$2,000. This disciplinary action was based upon findings that, in the course of your psychiatric practice, you admitted a patient for psychiatric and medical problems to Annapolis Hospital, Westland, Michigan. You forgot that you admitted the patient to Annapolis Hospital on February 17, 1994, and upon realizing your oversight on March 2, 1994, you created and backdated an admission note and daily progress entries in the medical records of the patient by basing your notes upon nursing notes for the period during which you failed to see or treat the patient. A copy of the Consent Order is attached hereto and fully incorporated herein.

The Consent Order, as alleged in paragraph (1) above, constitutes "[t]he limitation, revocation, or suspension by another state of a license or certificate to practice issued by the proper licensing authority of that state, the refusal to license, register, or reinstate an applicant by that authority, the imposition of probation by that authority, or the issuance of an order of censure or other reprimand by that authority for any reason, other than nonpayment of fees," as that clause is used in Section 4731.22(B)(22), Ohio Revised Code.

Pursuant to Chapter 119., Ohio Revised Code, you are hereby advised that you are entitled to a hearing in this matter. If you wish to request such hearing, the request must be made in writing and must be received in the offices of the State Medical Board within thirty (30) days of the time of mailing of this notice.

*Mailed 4/9/98*

Usha Sudindranath, M.D.

Page 2

You are further advised that you are entitled to appear at such hearing in person, or by your attorney, or by such other representative as is permitted to practice before this agency, or you may present your position, arguments, or contentions in writing, and that at the hearing you may present evidence and examine witnesses appearing for or against you.

In the event that there is no request for such hearing received within thirty (30) days of the time of mailing of this notice, the State Medical Board may, in your absence and upon consideration of this matter, determine whether or not to limit, revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery or to reprimand or place you on probation.

Copies of the applicable sections are enclosed for your information.

Very truly yours,

A handwritten signature in black ink that reads "Anand G. Garg, M.D." followed by a stylized flourish and the initials "R20".

Anand G. Garg, M.D.  
Secretary

AGG/jag  
Enclosures

CERTIFIED MAIL # Z 33 895 104  
RETURN RECEIPT REQUESTED

cc: 18181 Oakwood Blvd., Suite 311  
Dearborn, MI 48124  
CERTIFIED MAIL # Z 233 895 103  
RETURN RECEIPT REQUESTED

STATE OF MICHIGAN  
DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES  
BOARD OF MEDICINE  
DISCIPLINARY SUBCOMMITTEE

In the Matter of:

Complaint No. 43-94-4353-00

USHA SUDINDRANATH, M.D.  
\_\_\_\_\_ /

CONSENT ORDER

An administrative complaint was filed with the Disciplinary Subcommittee of the Board of Medicine on September 23, 1996 charging Usha Sudindranath, M.D. (Respondent) with having violated sections 16221(a) and 16221(b)(i) of the Public Health Code, 1978 PA 368, as amended; MCL 333.1101 et seq.; MSA 14.15(1101) et seq.

By stipulation contained in this document, Respondent does not contest the allegations of fact in the complaint and allegations of law in Count I. Respondent understands that by pleading no contest Respondent does not admit the truth of the allegations but agrees that the Disciplinary Subcommittee may treat the allegations as true for resolution of the complaint. Respondent agrees that the Disciplinary Subcommittee may enter an order treating the allegations as true.

The Disciplinary Subcommittee has reviewed this stipulation and agrees that the public interest is best served by resolution of the outstanding complaint.

Therefore, the Disciplinary Subcommittee finds that the allegations of fact contained in the complaint are true and constitute violation of section 16221(a) of

the Public Health Code as set forth in the complaint.

Therefore, by stipulation contained in this document the parties agree that the Disciplinary Subcommittee shall dismiss Count II of the complaint indicating a violation of section 16221(b)(i).

Accordingly,

IT IS ORDERED that for the violation, Respondent's license is SUSPENDED for a period of 30 days, commencing on the effective date of this order.

IT IS FURTHER ORDERED that for the violation Respondent is placed on PROBATION for a period of one year, commencing upon reinstatement of Respondent's suspended license. The terms and conditions of the probation are as follows:

- A. RECORDS REVIEW. During the period of probation a Board approved licensee shall review records of patients treated by Respondent either as outpatients or inpatients. This review shall occur on a quarterly basis, shall include 20 case records and be communicated to the Department in writing.
- B. CONTINUING MEDICAL EDUCATION. Respondent shall complete 30 hours of Continuing Medical Education in the area of medical/legal issues and patient record keeping beyond the 150 hours of Continuing Medical Education required for license renewal.

IT IS FURTHER ORDERED that Respondent shall be automatically discharged from probation at the end of the one year probationary period PROVIDED Respondent has complied with the terms of this Order and has not violated the

Public Health Code.

IT IS FURTHER ORDERED that for the violations Respondent is assessed a FINE in the total amount of \$2,000, to be paid to the State of Michigan not later than one year from the effective date of this order.

The timely payment of the fine shall be the responsibility of Respondent. If Respondent fails to pay the fine within the time period provided, the Disciplinary Subcommittee may determine that Respondent has violated its order and 1996 MR 7, R 338.1632 and proceed pursuant to section 16221(g) of the Public Health Code.

The payment of the fine shall be mailed to the Compliance Section, Legal Resources Division, Bureau of Occupational and Professional Regulation, Department of Consumer and Industry Services, P. O. Box 30185, Lansing, Michigan 48909.

IT IS FURTHER ORDERED that Count II of the complaint shall be and is DISMISSED.

IT IS FURTHER ORDERED that should Respondent violate any term or condition set forth here, it may be determined that Respondent has violated an order of the Disciplinary Subcommittee, as provided by 1996 MR 7, R 338.1632, and section 16221(g) of the Public Health Code.

IT IS FURTHER ORDERED that in the event Respondent violates the terms of this order, the Disciplinary Subcommittee may reconsider the disciplinary action

taken in the present matter; further, if such violation constitutes an independent violation of the Public Health Code, or the rules promulgated under the Code, the Disciplinary Subcommittee may take appropriate disciplinary action.

IT IS FURTHER ORDERED that this order shall be effective on the date signed by the Disciplinary Subcommittee or its authorized representative, as set forth below.

Signed this 14<sup>th</sup> day of April, 1997.

MICHIGAN BOARD OF MEDICINE

By Mary S. Marshall  
for Disciplinary Subcommittee

STIPULATION

The parties stipulate and agree as follows:

1. Respondent does not contest the allegations of fact and allegation of law contained in Count I of the complaint, and agrees that the Disciplinary Subcommittee may treat the allegations of fact and law as true, which finding shall have the same force and effect for purposes of this consent order as if evidence and argument were presented in support of the allegations. Further, Respondent understand and intends that by so stating Respondent is not admitting the truth of the allegations, but it agreeing that the Disciplinary Subcommittee may enter its order treating the allegations as true for purpose of resolution of the complaint.

2. Respondent understands and intends that by signing this stipulation Respondent is waiving the right pursuant to the Public Health Code, the rules promulgated thereunder, and the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 et seq; MSA 3.560(101) et seq., to require the People to prove the charges set forth in the complaint by presentation of evidence and legal authority, and to appear with an attorney and such witnesses as Respondent may desire to present a defense to the charges before the Disciplinary Subcommittee or its authorized representative.

3. Count II of the complaint shall be dismissed by order of the Disciplinary Subcommittee.

4. The Board's conferee in this matter, Harold Sauer, M.D., may participate freely in any deliberations of the Disciplinary Subcommittee regarding acceptance of this proposed consent order and stipulation, and may relate to the Disciplinary Subcommittee any knowledge and views of the case acquired by the conferee.

5. The foregoing consent order is approved by the respective parties and may be entered as the final order of the Disciplinary Subcommittee in this cause.

6. The foregoing proposal is conditioned upon its acceptance by the Disciplinary Subcommittee, the parties expressly reserving the right to further proceedings without prejudice should the consent order be rejected.

