

NEW YORK STATE DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER
OF
GANGARAM RAGI, M.B.B.S.

MODIFICATION
ORDER
06-133

Upon the proposed Application for a Modification Order of **GANGARAM RAGI, M.B.B.S.**, (Respondent), that is made a part of this Modification Order, it is agreed and

ORDERED, that the attached Application and its terms are adopted and it is further

ORDERED, that this Modification Order shall be effective upon issuance by the Board, either by mailing, by first class mail, a copy of the Modification Order to Respondent at the address in the attached Application or by certified mail to Respondent's attorney or upon transmission via facsimile to Respondent or Respondent's attorney, whichever is earliest.

SO ORDERED

DATED: 2-27-2009

Redacted Signature
KENDRICK A. SEARS, M.D.
Chair
State Board for Professional
Medical Conduct

STATE OF NEW YORK : DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER
OF
GANGARAM RAGI, M.B.B.S.

APPLICATION FOR
MODIFICATION ORDER

GANGARAM RAGI, M.B.B.S., (Respondent), being duly sworn deposes and says:

That on or about October 1, 1984, I was licensed to practice as a physician in the State of New York, having been issued license number 160406 by the New York State Education Department.

My current address is Redacted Address

I am currently subject to Consent Order BPMC No. #06-133, (hereinafter "Original Order"), annexed hereto, made a part, hereof, and marked as Exhibit 1, that was issued on June 21, 2006.

I apply, hereby, to the State Board for Professional Medical Conduct for a Modification Order (hereinafter "Modification Order"), modifying the Original Order, as follows: to delete the paragraphs in the Original Order that state:

"Respondent's license shall be limited so that he shall not engage in the practice of medicine with regard to any female patient; and

Respondent shall enroll in and successfully complete a continuing education program in the area of boundary violations. Said continuing education program shall be subject to the prior written approval of the Director of OPMC and be completed within a year of the effective date of this Order.

That Respondent shall maintain active registration of Respondent's license with the New York State Education Department, Division of Professional Licensing Services (except during periods of actual suspension) and shall pay all registration fees.

This condition take effect thirty (30) days after the Consent Order's effective date and will continue so long as Respondent remains a licensee in New York State; and"

substituting therefor:

" Respondent shall never practice medicine in the New York state, activate his registration to practice medicine in New York state or seek to reapply for a license to practice medicine in New York state."

The Modification Order to be issued will not constitute a new disciplinary action against me, but will substitute the proposed language for the above described language in the Original Order.

I make this Application of my own free will and accord and not under duress, compulsion or restraint, and seek the anticipated benefit of the requested Modification. In consideration of the value to me of the acceptance of the Board of this Application, I knowingly waive the right to contest the Original Order or the Modification Order for which I apply, both administratively and judicially, and ask that the Board grant this Application.

I understand and agree that the attorney for the Bureau of Professional Medical Conduct, the Director of the Office of Professional Medical Conduct, and the Chair of the State Board for Professional Medical Conduct each retain complete discretion to either enter into the proposed Agreement and Modification Order, based upon my application, or to decline to do so. I further understand and agree that no prior or separate written or oral communication can limit that discretion.

AFFIRMED:

DATED: _____

2/13/09

Redacted Signature

GANGARAM RAGI, M.B.B.S.
Respondent

The undersigned agree to the attached Application of Respondent and to the proposed penalty based on the terms and conditions thereof.

DATE:

2/13/09

Redacted Signature

SUSAN FRUCHTMAN, ESQ.
Attorney for Respondent

DATE:

17 February 2009

Redacted Signature

ROBERT BOGAN
Associate Counsel
Bureau of Professional Medical Conduct

DATE:

2/25/09

Redacted Signature

KEITH W. SERVIS
Director
Office of Professional Medical Conduct



New York State Board for Professional Medical Conduct

433 River Street, Suite 303 • Troy, New York 12180-2299 • (518) 402-0863

Antonia C. Novello, M.D., M.P.H., Dr. P.H.
Commissioner
NYS Department of Health

Dennis P. Whalen
Executive Deputy Commissioner
NYS Department of Health

Dennis J. Graziano, Director
Office of Professional Medical Conduct

Public

Kendrick A. Sears, M.D.
Chairman

Michael A. Gonzalez, R.P.A.
Vice Chair

Ansel R. Marks, M.D., J.D.
Executive Secretary

June 22, 2006

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Gangaram Ragi, M.B.B.S.

Redacted Address

Re: License No. 160406

Dear Dr. Ragi:

Enclosed is a copy of Order #BPMC 06-133 of the New York State Board for Professional Medical Conduct. This order and any penalty provided therein goes into effect June 29, 2006.

If the penalty imposed by this Order is a surrender, revocation or suspension, you are required to deliver your license and registration within five (5) days of receipt of this Order to the Board for Professional Medical Conduct, New York State Department of Health, Hedley Park Place, Suite 303, 433 River Street, Troy, New York 12180.

Sincerely,

Redacted Signature

Ansel R. Marks, M.D., J.D.
Executive Secretary
Board for Professional Medical Conduct

Enclosure

cc: Anthony Z. Scher, Esq.
Wood & Scher
222 Bloomingdale Road, Suite 311
White Plains, NY 10605

NEW YORK STATE DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER
OF
GANGARAM RAGI, M.B.B.S.

CONSENT
ORDER

BPMC No. #06-133

Upon the application of **GANGARAM RAGI, M.B.B.S.**, (Respondent) in the attached Consent Agreement and Order, which is made a part of this Consent Order, it is

ORDERED, that the Consent Agreement, and its terms, are adopted and it is further

ORDERED, that this Order shall be effective upon issuance by the Board, either by mailing of a copy of this Consent Order, either by first class mail to Respondent at the address in the attached Consent Agreement or by certified mail to Respondent's attorney, OR upon facsimile transmission to Respondent or Respondent's attorney, whichever is first.

SO ORDERED.

DATED: 6-21-2006

Redacted Signature

KENDRICK A. SEARS, M.D.
Chair
State Board for Professional
Medical Conduct

STATE OF NEW YORK : DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER
OF
GANGARAM RAGI, M.B.B.S.
CO-03-10-4635-A

CONSENT
AGREEMENT
AND ORDER

GANGARAM RAGI, M.B.B.S., (Respondent) representing that all of the following statements are true, deposes and says:

That on or about October 1, 1984, I was licensed to practice as a physician in the State of New York, and issued License No. 160406 by the New York State Education Department.

My current address is ' Redacted Address , and I will advise the Director of the Office of Professional Medical Conduct of any change of my address thirty (30) days, thereof.

I understand that the New York State Board for Professional Medical Conduct has charged me with three (3) Specifications of professional misconduct.

A copy of the Statement of Charges, marked as Exhibit "A," is attached to and part of this Consent Agreement.

I do not contest the three (3) Specifications, in full satisfaction of the charges against me, and agree to the following penalty:

Censure and Reprimand;

Respondent's license shall be limited so that he shall not engage in the practice of medicine with regard to any female patient; and

Respondent shall enroll in and successfully complete a continuing education program in the area of boundary violations . Said continuing education program shall be subject to the prior written approval of the Director of OPMC and be completed within a year of the effective date of this Order.

That Respondent shall maintain active registration of Respondent's license with the New York State Education, Department Division of Professional Licensing Services (except during periods of actual suspension), and shall pay all registration fees. This condition shall take effect thirty (30) days after the Consent Order's effective date and will continue so long as Respondent remains licensed in New York State; and

That Respondent shall cooperate fully with the Office of Professional Medical Conduct (OPMC) in its administration and enforcement of this Order and in its investigations of all matters concerning Respondent. Respondent shall respond in a timely manner to all OPMC requests for written periodic verification of Respondent's compliance with this Order. Respondent shall meet with a person designated by the Director of OPMC, as directed. Respondent shall respond promptly and provide all documents and information within Respondent's control, as directed. This condition shall take effect upon the Board's issuance of the Consent Order and will continue so long as Respondent remains licensed in New York State.

I stipulate that my failure to comply with any conditions of this Order shall constitute misconduct as defined by New York State Education Law §6530(29).

I agree that if I am charged with professional misconduct in the future, this Consent Agreement and Order shall be admitted into evidence in that proceeding.

I ask the Board to adopt this Consent Agreement.

I understand that if the Board does not adopt this Consent Agreement, none of its terms shall bind me or constitute an admission of any of the acts of alleged misconduct; this Consent Agreement shall not be used against me in any way and shall be kept in strict confidence; and the Board's denial shall be without prejudice to the pending disciplinary proceeding and the Board's final determination pursuant to the Public Health Law.

I agree that, if the Board adopts this Consent Agreement, the Chair of the Board shall issue a Consent Order in accordance with its terms. I agree that this Order shall take effect upon its issuance by the Board, either by mailing of a copy of the Consent Order by first class mail to me at the address in this Consent Agreement, or to my attorney by certified mail, or upon facsimile transmission to me or my attorney, whichever is first. The Order, this agreement, and all attached Exhibits shall be public documents, with only patients identities, if any, redacted.

STATE OF NEW YORK : DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER
OF
GANGARAM RAGI, M.B.B.S.
CO-03-10-4635-A

AMENDED
STATEMENT
OF
CHARGES

GANGARAM RAGI, M.B.B.S., the Respondent, was authorized to practice medicine in New York state on October 1, 1984, by the issuance of license number 160406 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about June 11, 2003, the State of New Jersey, Department of Law & Public Safety, Division of Consumer Affairs, State Board of Medical Examiners (hereinafter "New Jersey Board"), by an Interim Order (hereinafter "New Jersey Order 1"), directed that Respondent shall not provide any medical diagnosis, treatment or any medical service, prescription, device or medication to any female patient unless such diagnosis, treatment or providing of a medical service is performed in the immediate, in-room presence of an independent practice monitor approved by the New Jersey Board, based on good cause.

B. On or about December 23, 2003, Respondent prepared and submitted to North Bronx Healthcare Network, Jacobi Medical Center/North Central Bronx Hospital (hereinafter "Jacobi"), a 2004-2006 Reappointment Application (hereinafter "Application"), wherein he falsely answered the "No" to the question "Have any of the following ever been, or are currently in the process of being denied, revoked, suspended, relinquished, withdrawn, reduced, limited, placed on probation, not renewed, or currently pending/under investigation in this or any other state:"
"1. Medical License or registration in any state? If yes attach explanation, sign and date."

C. On or about January 23, 2004, Respondent prepared and submitted a letter to Jacobi, purporting to correct the Application described in Paragraph "B," above, wherein he again failed to disclose the Order described in Paragraph "A," above.

D. On or about March 16, 2006, the New Jersey Board by a Final Consent Order (hereinafter "New Jersey Order 2"), reprimanded Respondent, limited his license to practice medicine so that he "shall not engage in the practice of medicine with regard to any female patient," required him to successfully complete a course in boundary violations, imposed a \$10,000.00 civil penalty, and required him to pay \$21,560.00 New Jersey Board costs, based on alleged sexual contact with a patient.

E. The conduct resulting in the New Jersey Board disciplinary action against Respondent would constitute misconduct under the laws of New York state, pursuant to the following sections of New York state law:

1. New York Education Law §6530(17) (exercising undue influence on a patient).

SPECIFICATIONS

FIRST AND SECOND SPECIFICATIONS

Respondent violated New York Education Law §6530(2) by practicing the profession fraudulently, in that Petitioner charges:

1. The facts in Paragraphs A and/or B.
2. The facts in Paragraphs A, B, and/or C.

THIRD SPECIFICATION

Respondent violated New York Education Law §6530(9)(d) by having disciplinary action taken by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the disciplinary action would, if committed in New York state, constitute professional misconduct under the laws of New York state, in that Petitioner charges:

3. The facts in Paragraphs A, D, and/or E.

DATED: *June 7*, 2006
Albany, New York

Redacted Signature

PETER D. VAN BUREN
Deputy Counsel
Bureau of Professional Medical Conduct

I stipulate that the proposed sanction and Order are authorized by Public Health Law Sections 230 and 230-a and that the Board for Professional Medical Conduct and the Office of Professional Medical Conduct have the requisite powers to carry out all included terms. I ask the Board to adopt this Consent Agreement of my own free will and not under duress, compulsion or restraint. In consideration of the value to me of the Board's adoption of this Consent Agreement, allowing me to resolve this matter without the various risks and burdens of a hearing on the merits, I knowingly waive my right to contest the Consent Order for which I apply, whether administratively or judicially, I agree to be bound by the Consent Order, and ask that the Board adopt this Consent Agreement.

AFFIRMED:

DATED: 5/26/06

Redacted Signature

GANGARAM RAGI, M.B.B.S.
Respondent

The undersigned agree to Respondent's attached Consent Agreement and to its proposed penalty, terms and conditions thereof.

DATE: 6/2/06

Redacted Signature

ANTHONY Z. SCHER
Attorney for Respondent

DATE: 09 June 2006

Redacted Signature

ROBERT BOGAN
Associate Counsel
Bureau of Professional Medical Conduct

DATE: 20 June 2006

Redacted Signature

JOHN J. GRAZIANO
Director
Office of Professional Medical Conduct