BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against: **Naga Lakshmi Battala, M.D.** Physician's and Surgeon's Certificate No. A 104785 Respondent.	MBC File # 800-2020-065974

ORDER CORRECTING NUNC PRO TUNC
CLERICAL ERROR IN "DISCIPLINARY ORDER" PORTION OF DECISION

On its own motion, the Medical Board of California (hereafter "Board") finds that there is a clerical error in the "Disciplinary Order" portion of the Decision in the above-entitled matter and that such clerical error shall be corrected so that the "Effective" and "Ordered" dates reflect the correct year.

IT IS HEREBY ORDERED that the "Effective" and "Ordered" dates contained on the Decision Order Page in the above-entitled matter are hereby amended and corrected nunc pro tunc as of the date of entry of the Decision to read as "March 12, 2021" and "February 11, 2021", respectively.

February 16, 2021

William Prasifka
Executive Director

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BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against, **NAGA LAKSHMI BATTALA, M.D.** 808 W. 58th St. Los Angeles, CA 90037-3632 Physician's and Surgeon's Certificate No. A 104785 Respondent.	Case No. 800-2020-065974 **DEFAULT DECISION AND ORDER** [Gov. Code, §11520]

FINDINGS OF FACT

1. On September 21, 2020, Complainant William Prasifka, in his official capacity as the Executive Director of the Medical Board of California, Department of Consumer Affairs, filed Accusation No. 800-2020-065974 against NAGA LAKSHMI BATTALA, M.D. (Respondent) before the Medical Board of California (Board).

2. On July 4, 2008, the Medical Board of California issued Physician's and Surgeon's Certificate No. A 104785 to Respondent. The Physician's and Surgeon's Certificate is current with an expiration date of March 31, 2022; however, the license was placed in suspended status

on July 9, 2020, pursuant to Section 2310(a) of the Business and Professions Code. (Exhibit Package, Exhibit 1[1], license certification.)

3. On September 21, 2020, Respondent was duly served with an Accusation, alleging causes for discipline against Respondent. (Exhibit Package, Exhibit 2, Accusation.)

4. The allegations of the Accusation are true as follows based on certified records which are attached as Exhibit A to the Accusation (Exhibit Package, Exhibit 2).

- On August 8, 2019, the Arkansas State Medical Board (Arkansas Board) filed an "Order and Notice of Hearing" against Naga Lakshmi Battala, M.D. listing violations of the Arkansas Medical Practices Act, specifically, A.C.A. section 17-95-409(a)(2)(g). This charged that Respondent exhibited "gross negligence and ignorant malpractice" in the manner in which she treated one patient.
- The Arkansas matter alleged that Respondent assessed her pregnant patient to be "at risk" and admitted said patient to the hospital for a Cesarean section. Shortly after determining the risk and admitting the patient, Respondent left the hospital.
- The patient's condition deteriorated quickly and the patient needed emergency surgery. Despite multiple attempts, Respondent could not be reached by phone. The patient was taken to the operating room where another surgeon had to perform surgery.
- On March 17, 2020, the Arkansas State Medical Board entered a Consent Order (Consent Order) with the Respondent.
- The Consent Order included an agreement that Respondent not practice in the state of Arkansas or utilize her Arkansas medical license until she returns to the Arkansas State Medical Board after having attended the Physician Assessment and Clinical Education (P.A.C.E.) program in San Diego.
- The Consent Order further requires that Respondent complete the P.A.C.E. course within six months of February 6, 2020, and appear before the Arkansas State

[1] The evidence in support of this Default Decision and Order is submitted herewith as the "Exhibit Package."

Medical Board with the results of the P.A.C.E. program before the suspension of the license is lifted.

5. On September 21, 2020, an employee of the Medical Board of California sent by certified mail a copy of Accusation No. 800-2020-065974, Statement to Respondent, Notice of Defense in blank, and Request for Discovery to Respondent's address of record with the Board, which was and is 808 W. 58th St., Los Angeles, CA 90037-3632. The United States Post Office tracking system noted the package was delivered on September 24, 2020. (Exhibit Package, Exhibit 2, Accusation, proof of service; Exhibit 3, USPS tracking printout.)

6. There was no response to the Accusation. On October 6, 2020, an employee of the Attorney General's Office sent a Courtesy Notice of Default, by certified mail, addressed to Respondent at the address of record above, as well as to an Arkansas address associated with Respondent: 808 Hwy 278 W Apt. A5, Monticello, AR 71655. The Courtesy Notice of Default advised Respondent of the service Accusation, and provided her with an opportunity to file a Notice of Defense and request relief from default. The United States Post Office tracking system noted the package was delivered to Respondent's California address of record on October 9, 2020. There is no service to the second address, in Arkansas, associated with Respondent. (Exhibit Package, Exhibit 4, Courtesy Notice of Default, proof of service, USPS tracking printouts.)

7. Respondent has not responded to service of the Accusation or the Notice of Default. She has not filed a Notice of Defense. As a result, Respondent has waived her right to a hearing on the merits to contest the allegations contained in the Accusation.

8. Service of the Accusation was effective as a matter of law under the provisions of Government Code section 11505, subdivision (c).

STATUTORY AUTHORITY

9. Government Code section 11506 states, in pertinent part:

"(c) The respondent shall be entitled to a hearing on the merits if the respondent files a notice of defense, and the notice shall be deemed a specific denial of all parts of the accusation

not expressly admitted. Failure to file a notice of defense shall constitute a waiver of respondent's right to a hearing, but the agency in its discretion may nevertheless grant a hearing."

10. Respondent failed to file a Notice of Defense within 15 days after service upon her of the Accusation, and therefore waived her right to a hearing on the merits of Accusation No. 800-2020-065974.

11. California Government Code section 11520 states, in pertinent part:

"(a) If the respondent either fails to file a notice of defense or to appear at the hearing, the agency may take action based upon the respondent's express admissions or upon other evidence and affidavits may be used as evidence without any notice to respondent."

DETERMINATION OF ISSUES

1. The Board has jurisdiction to adjudicate this case by default, and pursuant to Government Code section 11520, finds that Respondent is in default. The Board will take action without further proceedings or hearing and, based on Respondent's admissions by way of default and the evidence before the Board, contained in the Exhibit Package, finds that the allegations in Accusation No. 800-2020-065974, are true and correct.

2. Respondent's conduct and the action of the Arkansas State Medical Board constitute cause for discipline within the meaning of Business and Professions Code sections 2305 and 141(a).

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DISCIPLINARY ORDER

Physician's and Surgeon's Certificate No. A 104785, issued to NAGA LAKSHMI BATTALA, M.D., is hereby **REVOKED**.

Respondent shall not be deprived of making a request for relief from default as set forth in Government Code section 11520(c) for good cause shown. However, such showing must be made in writing by way of a motion to vacate the default decision and directed to the Medical Board of California at 2005 Evergreen Street, Suite 1200, Sacramento, CA 95815 within seven (7) days of the service of this Decision. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision will become effective at 5:00 p.m. on MAR 12 2021, 2020

It is so ordered on FEB 11 2021, 2020

WILLIAM PRASIFKA
Executive Director
For the Medical Board Of California
Department Of Consumer Affairs

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BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against: **Naga Lakshmi Battala, M.D.** **808 W. 58th St.** **Los Angeles, CA 90037-3632** **Physician's and Surgeon's Certificate No. A 104785,** Respondent.	Case No. 800-2020-065974 **A C C U S A T I O N**

PARTIES

1. William Prasifka (Complainant) brings this Accusation solely in his official capacity as the Executive Director of the Medical Board of California, Department of Consumer Affairs (Board).

2. On July 4, 2008, the Medical Board issued Physician's and Surgeon's Certificate Number A 104785 to Naga Lakshmi Battala, M.D. (Respondent). The Physician's and Surgeon's Certificate was suspended on July 9, 2020, pursuant to Business and Professions Code section 2310. but was in full force and effect at all other times relevant to the charges brought herein and will expire on March 31, 2022, unless renewed

JURISDICTION

This Accusation is brought before the Board, under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

3. Section 2227 of the Code provides that a licensee who is found guilty under the Medical Practice Act may have his or her license revoked, suspended for a period not to exceed one year, placed on probation and required to pay the costs of probation monitoring, or such other action taken in relation to discipline as the Board deems proper.

4. Section 2305 of the Code provides, in part, that the revocation, suspension, or other discipline, restriction or limitation imposed by another state upon a license to practice medicine issued by that state, or the revocation, suspension, or restriction of the authority to practice medicine by any agency of the federal government, that would have been grounds for discipline in California under the Medical Practice Act, constitutes grounds for discipline for unprofessional conduct.

5. Section 141 of the Code states:

> (a) For any licensee holding a license issued by a board under the jurisdiction of the department, a disciplinary action taken by another state, by any agency of the federal government, or by another country for any act substantially related to the practice regulated by the California license, may be a ground for disciplinary action by the respective state licensing board. A certified copy of the record of the disciplinary action taken against the licensee by another state, an agency of the federal government, or another country shall be conclusive evidence of the events related therein.
>
> (b) Nothing in this section shall preclude a board from applying a specific statutory provision in the licensing act administered by that board that provides for discipline based upon a disciplinary action taken against the licensee by another state, an agency of the federal government, or another country.

CAUSE FOR DISCIPLINE

(Discipline, Restriction, or Limitation Imposed by Another State)

6. On March 17, 2020, the Arkansas State Medical Board entered a Consent Order with Respondent that included an agreement that she not practice in the state of Arkansas or utilize her Arkansas medical license until she returns to the Arkansas State Medical Board after having attended the Physician Assessment and Clinical Education (P.A.C.E.) program in San Diego. The Consent Order further states that Respondent must complete the P.A.C.E. course within six

months of February 6, 2020 and must appear before the Arkansas State Medical Board with the results of the P.A.C.E. program before the suspension of the license is lifted. A copy of the Arkansas State Medical Board Consent Order is attached as Exhibit A.

7. Respondent's conduct and the action of the Arkansas State Medical Board as set forth in paragraph 6, above, constitute cause for discipline pursuant to sections 2305 and/or 141 of the Code.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Medical Board of California issue a decision:

1. Revoking or suspending Physician's and Surgeon's Certificate Number A 104785, issued to Naga Lakshmi Battala, M.D.;

2. Revoking, suspending or denying approval of Naga Lakshmi Battala, M.D.'s authority to supervise physician assistants and advanced practice nurses;

3. Ordering Naga Lakshmi Battala, M.D., if placed on probation, to pay the Board the costs of probation monitoring; and

4. Taking such other and further action as deemed necessary and proper.

DATED: SEP 21 2020

WILLIAM PRASIFKA
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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EXHIBIT A

Arkansas State Medical Board Consent Order

Board History

Appearance: No

Reason: Licensure

Date of Action: 9/22/2017

Minutes:

BATTALA, Naga Lakshmi, M.D., was granted a permanent license and waivers of the requirements for direct verification of the following: Staff Affiliation, Kern Medical Center, Bakersfield, CA, 12/1/09 - 12/30/10; Staff Appointment, Prime Hospital, India, 3/1/10 - 11/30/10; Staff Appointment, Oakridge Hospital, India, 4/2/16 - 1/30/17.

Appearance: No

Reason: Complaint

Date of Action: 6/6/2019

Minutes:

Discussion #19-131. BATTALA, Naga Lakshmi, M.D. Upon a motion by Dr. D. Phillips, seconded by Dr. J. Scribner, the Board voted unanimously to request that Dr. Battala appear at the August 2019 meeting to discuss the matter.

Appearance: Yes

Reason: Board Related

Date of Action: 8/1/2019

Minutes:

BATTALA, Naga Lakshmi, M.D. appeared at the Board's request to discuss details of Discussion #19-131. Upon a motion by Mrs. M. Holder, seconded by Dr. D. Staggs, the Board voted unanimously to issue an Order and Notice of Hearing involving this physician.

Appearance: Yes

Reason: Board Related

Date of Action: 2/6/2020

Minutes:

BATTALA, Naga Lakshmi, M.D. appeared with her attorney, Chris Burks, in response to an Order and Notice of Hearing. Upon a motion by Mrs. M. Holder, seconded by Dr. J. Scribner, the Board voted unanimously to accept Dr. Battala's offer to register within 60 days to undergo a competency assessment at PACE and to complete the assessment within six months. Dr. Battala's license will be suspended pending the results of the assessment being provided to the Board.

Certified copy

BEFORE THE ARKANSAS STATE MEDICAL BOARD

IN THE MATTER OF: NAGA LAKSHMI BATTALA, M.D.

CONSENT ORDER

On this 6th day of February, 2020, comes on for hearing the matter of Naga Lakshmi Battala, M.D. The Arkansas State Medical Board appeared together by a quorum of its membership together with its attorney, Kevin M. O'Dwyer; Naga Lakshmi Battala, M.D., appeared with her attorney, Chris Burks. From the pleadings, evidence introduced, and agreement of the parties, the Board finds that:

I.

Naga Lakshmi Battala, M.D., is licensed to practice medicine in the State of Arkansas and under the provisions of the Medical Practices Act.

II.

Naga Lakshmi Battala, M.D. makes the following offer to the Arkansas State Medical Board, pursuant to A.C.A. §25-15-208(b) of the Administrative Procedure Act as follows:

A. Naga Lakshmi Battala, M.D. agrees to not practice in the state of Arkansas or utilize her Arkansas medical license and that her license will be suspended until such time that she returns to the Arkansas State Medical Board after having attended the P.A.C.E. in San Diego, California;

B. Naga Lakshmi Battala, M.D. must provide proof to the Arkansas State Medial Board within sixty (60) days of February 6, 2020 that she is registered for a full evaluation to determine her clinical competency as well as an evaluation on any other factors that may affect her ability to safely practice medicine;

C. Naga Lakshmi Battala, M.D. must complete the P.A.C.E. course within six (6) months of February 6, 2020; and

D. Naga Lakshmi Battala, M.D. must appear before the Arkansas State Medical Board with the results of the P.A.C.E. program prior to the suspension of her license being lifted.

III.

WHEREFORE, IT IS CONSIDERED, ORDERED AND ADJUDGED that the agreement of the parties stated in paragraph II above is a fair and equitable agreement and the Board adopts the same as the Board's own Order.

IT IS SO ORDERED.

ARKANSAS STATE MEDICAL BOARD

BY: Sylvia Simon MD

Sylvia D. Simon, M.D., Chairman

DATE: 3/17/2020

APPROVED AS TO FORM:

Kevin M. O'Dwyer
Attorney for Arkansas State Medical Board

Chris W. Burks
Attorney for Naga Lakshmi Battala, M.D.

B. Naga Lakshmi
Naga Lakshmi Battala, M.D.

Certified Copy

BEFORE THE ARKANSAS STATE MEDICAL BOARD

IN THE MATTER OF: NAGA LAKSHMI BATTALA, M.D.

ORDER AND NOTICE OF HEARING

Pursuant to Ark. Code Ann. § 25-15-201 of the Administrative Procedures Act, and Ark. Code Ann. §17-95-410 of the Medical Practices Act, the Arkansas State Medical Board issues the following Order and Notice of Hearing charging Naga Lakshmi Battala, M.D., with alleged violations of the Medical Practices Act, more specifically, A.C.A. §17-95-409(a)(2)(g) that is, she exhibited gross negligence and ignorant malpractice in the manner in which she treated one patient. The allegations upon which the above charges are based are as follows:

I.

Naga Lakshmi Battala, M.D. is a licensed physician in the State of Arkansas under the provisions of the Medical Practices Act.

II.

Naga Lakshmi Battala, M.D., exhibited gross negligence and ignorant malpractice in the manner in which she treated her pregnant patient, B.P. Specifically, Naga Lakshmi Battala had assessed the patient to be at risk and admitted her to Drew Memorial Hospital for a Cesarean section. Shortly after determining the risk and admitting the patient, Naga Lakshmi Battala, M.D. left the hospital and went home. The patient's condition deteriorated quickly and needed emergency surgery. Despite multiple attempts, Dr. Battala could not be reached by phone. The patient was taken to the operating room where another surgeon had to perform surgery. The actions of Naga Lakshmi Battala, M.D. constitute patient abandonment and constitute gross negligence and ignorant malpractice.

III.

WHEREFORE, IT IS CONSIDERED, ORDERED AND ADJUDGED by the Arkansas State Medical Board that a hearing should be conducted to determine whether Naga

Lakshmi Battala, M.D., has violated the Medical Practices Act as alleged hereinabove. If it is found that she has, in fact, violated the Medical Practices Act, then the Board should determine whether the license of Naga Lakshmi Battala, M.D., to practice medicine in the State of Arkansas, should be revoked or suspended, or whether other sanctions should be given as punishment pursuant to the authority granted the Board in A.C.A. §17-95-410.

Said hearing will be conducted at 2:30 o'clock P .m. on the 3 day of October, 2019, at the offices of the Arkansas State Medical Board at 1401 W. Capitol Ave., Suite 340, Little Rock, Arkansas.

Naga Lakshmi Battala, M.D. is hereby advised that she may be represented by counsel at the hearing and that she will be given the opportunity to examine all of the evidence offered to the Board, cross-examine witnesses, and offer evidence and witnesses in her own behalf.

IT IS SO ORDERED.

ARKANSAS STATE MEDICAL BOARD

Sylvia Simon MD

Sylvia D. Simon, M.D., Chairman

DATE: 8/8/2019

APPROVED AS TO FORM:

Kevin M. O'Dwyer
Attorney for the Arkansas State Medical Board