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

In the Matter of the Accusation against: Neelima Krishnapriya Marupudi, M.D. Physician's and Surgeon's Certificate No. A 142324 Respondent.	Case No. 800-2019-053514

DECISION

The attached Proposed Decision is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on December 20, 2021.

IT IS SO ORDERED November 18, 2021.

MEDICAL BOARD OF CALIFORNIA

Richard E. Thorp, M.D. , Chair
Panel B

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

In the Matter of the Accusation Against:

NEELIMA KRISHNAPRIYA MARUPUDI, M.D., Respondent.

Physician and Surgeon's Certificate No. A 142324

Case No. 800-2019-053514

OAH No. 2021040683

PROPOSED DECISION

Administrative Law Judge Ruth S. Astle, State of California, Office of Administrative Hearings, heard this matter on September 27, 2021, as a virtual hearing.

Caitlin Ross, Deputy Attorney General, represented the complainant William Prasifka, Executive Director of the Medical Board of California.

Thomas Still, Attorney at Law, represented the respondent, who was present.

The record closed on September 27, 2021, and the matter was submitted for decision on that date.

FACTUAL FINDINGS

Jurisdictional Matters

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

2. On May 2, 2016, the Board issued Physician and Surgeon's Certificate Number A 142324 to Neelima Krishnapriya Marupudi, M.D. (respondent). The Certificate was in full force and effect at all times relevant to this matter and will expire on May 31, 2022, unless renewed.

Cause for Discipline

3. In October 2018, respondent was performing research as part of her UCSF Pediatric Critical Care Medicine fellowship program. At that time, she was not treating patients. UCSF found empty wine bottles at her workstation. At her Board interview, respondent stated that she was drinking one to two bottles of wine per day, including drinking while on her research rotation at work. She admitted drinking an unsafe amount of alcohol in her off hours. Upon recommendation of personnel at UCSF, she sought treatment for substance abuse. She had been drinking wine at work for about two weeks. Respondent consumed alcohol in an excessive manner, and in a manner that was dangerous to herself, and which evidenced unprofessional conduct.

4. Respondent's dependence on alcohol caused an impairment of her ability to practice safely. However, it should be noted that she never did actually see patients during the time she was drinking. Respondent underwent an evaluation by a Board-appointed psychiatrist, Richard J. Corelli, M.D. The evaluator concluded that

respondent suffers from alcohol dependence in remission. Unless respondent remains abstinent and sober, she will not be able to safely practice medicine. Respondent must continue her recovery in order to continue practicing medicine safely. Dr. Richard Corelli stated that as long as she does not consume alcohol, she is safe to practice.

Respondent's Evidence

5. Respondent is presently employed by the University of Chicago at Comer Hospital on the south side of Chicago. She is an assistant professor and treats patients in the pediatric critical care unit. She was hired there in 2020. She is highly regarded by her supervisors and colleagues. She has been transparent about her alcohol problem and has the support of the administration at the University hospital.

6. Respondent entered an in-patient treatment program immediately after being confronted about her use of alcohol at her research workstation. She has a sobriety date of November 28, 2018. Respondent has continued to demonstrate dedication to her recovery. She was tested regularly at the Ohlhoff Recovery Program in California and at the University of Chicago. She has consistently tested negative. She worked with Andrew Parker, a psychologist at UCSF in 2018. He testified at the hearing that he was pleased with her performance and that she complied fully with the Back to Work agreement. She continues to be treated at the University of Chicago by Emma Brett, PhD, who is a clinical psychologist specializing in addiction medicine. Dr. Brett sees respondent every three weeks for 45 to 50 minutes. Respondent has no symptoms at this time. Dr. Brett finds that respondent is at low risk of relapse. Respondent has demonstrated insight into her problems. Respondent is highly motivated to stay sober.

7. Respondent completed her fellowship in pediatric critical care at UCSF in 2020. She took off some time to work on her recovery and returned to work March 28, 2018, under a Return to Work agreement that involved close monitoring by the Physicians Well-Being Committee and her fellowship program worksite monitor. She has continued her recovery program at the University of Chicago. She continues to attend support meetings regularly; she continues to be randomly tested; she continues to be treated by a psychologist; and she continues to report to the wellbeing committee at her work.

8. Respondent presented a letter of recommendation from Jason M. Kane, M.D., who also testified on respondent's behalf. He has known respondent since July 2020, when she went to work at the University of Chicago. He works with respondent in her practice. He is aware of the charges. He finds her to be an exceptional practitioner and "absolutely and unabashedly committed to maintaining sobriety . . ." Respondent admitted her problems with alcohol to him. He believes she will remain sober.

9. Respondent presented a letter of recommendation from Steven Montner, M.D., who also testified at the hearing on respondent's behalf. Dr. Montner is the co-chair of the Physician's Assistance Committee at the University of Chicago. He is involved in monitoring respondent. Respondent is required to undergo random alcohol screening, see a therapist, and attend a recovery program. She will be monitored by the committee until November 28, 2023. Dr. Montner finds respondent in full compliance. She is transparent and entrenched in her recovery program.

10. Respondent presented a letter from Sandrijn M. van Schaik, M.D., who also testified at the hearing. She was respondent's supervisor at the fellowship

program at UCSF. Respondent ranked fifth out of 150 applicants. Dr. Van Schaik found respondent to be a talented clinician. There was never an issue with patient care.

11. Respondent presented a letter of recommendation from Nancy M. Ghanayem, who also testified at the hearing. Dr. Ghanayem is respondent's direct supervisor at the University of Chicago, Comer Hospital. She finds respondent a joy as a colleague. Respondent steps up to help with complex medical cases and takes a leadership role in improving quality of care for the patients at the hospital. Respondent does her job with "grace, and an even keel."

12. Respondent presented a letter from John M. Cunningham, M.D. He is the Chair of the Department of Pediatrics at the Comer Hospital at the University of Chicago. He finds respondent to be an outstanding clinician and fully in compliance with the expectations of her recovery.

13. Respondent presented continuing medical education of 43 hours for 2020 and 2021 through the University of Chicago.

14. Respondent has met all the conditions imposed on her by UCSF and the University of Chicago. She will be continued to be monitored by the University of Chicago Physician Assistance Committee until she has five years of sobriety. If, in the unlikely situation she has a relapse, the University has safeguards in place including a diversion program through the Illinois Medical Board, and disciplinary action by the Illinois Medical Board. Her recovery is extremely strong. It is the opinion of all who know her or have examined her, including the Board's expert, that it is extremely unlikely that she will abuse alcohol in the future. She has taken this situation seriously and has made sure nothing like this will ever happen again. It would serve no purpose to impose any additional disciplinary conditions on respondent. She has proven that

she is safe to practice. It would not be against the public interest to issue respondent a letter of reprimand.

LEGAL CONCLUSIONS

1. Pursuant to Business and Professions Code section 2227, the Board has jurisdiction to enforce and administer the law, rules and regulations against physicians.

2. Pursuant to Business and Professions Code section 2234 and 2234, subdivision (a), the Board is authorized to impose discipline on a physician for unprofessional. Business and Professions Code section 2239, provides that the use of alcoholic beverages, to the extent, or in such a matter as to be dangerous or injurious to the licensee, or to any other person or to the public, or to the extent that such impairs the ability of the licensee to practice medicine safely constitutes unprofessional conduct. Respondent used alcohol in an unsafe manner. (Factual Findings 3 and 4).

3. Pursuant to Business and Professions Code section 2227 and 822, respondent's dependence on alcohol caused an impairment of her ability to practice safely. However, she never saw any patients during the time she was using alcohol at work. (Factual Finding 4).

4. Considering all the evidence of rehabilitation presented by respondent, a public reprimand is sufficient in this case to protect the public. (Factual Findings 5 through 14.)

ORDER

Physician and Surgeon's Certificate No. A 142324 issued to respondent Neelima Krishnapriya Marupudi, M.D., shall by way of a letter from the Medical Board of California be publicly reprimanded. This Decision can serve as the Public Letter of Reprimand.

DATE: 10/21/2021

Ruth S. Astle
Ruth S. Astle (Oct 21, 2021 17:09 PDT)

RUTH S. ASTLE

Administrative Law Judge

Office of Administrative Hearings

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

In the Matter of the Accusation Against: **Neelima Krishnapriya Marupudi, M.D.** **257A Carl St.** **San Francisco CA 94117-3827** **Physician's and Surgeon's Certificate No. A 142324,** Respondent.	Case No. 800-2019-053514 **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 or about May 2, 2016, the Medical Board issued Physician's and Surgeon's Certificate Number A 142324 to Neelima Krishnapriya Marupudi, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought herein and will expire on May 31, 2022, unless renewed.

JURISDICTION

3. 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.

4. 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.

5. Sections 2234 and 2234 subdivision (a) of the Code, in pertinent part, states:

"The board shall take action against any licensee who is charged with unprofessional conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not limited to, the following:"

"(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the violation of, or conspiring to violate any provision of this chapter."

6. Section 2239 of the Code provides that the use of alcoholic beverages, to the extent, or in such a manner as to be dangerous or injurious to the licensee, or to any other person or to the public, or to the extent that such use impairs the ability of the licensee to practice medicine safely constitutes unprofessional conduct.

7. Section 822 of the Code provides that the Board may take action if a licentiate's ability to practice his or her profession safely is impaired because of mental or physical illness.

8. Section 2228.1 of the Code states, in part:

"On and after July 1, 2019, except as otherwise provided in subdivision (c), the board shall require a licensee to provide a separate disclosure that includes the licensee's probation status, the length of the probation, the probation end date, all practice restrictions placed on the licensee by the board, the board's telephone number, and an explanation of how the patient can find further information on the licensee's probation on the licensee's profile page on the board's online license information Internet Web site, to a patient or the patient's guardian or health care surrogate before the patient's first visit following the probationary order while the licensee is on

probation pursuant to a probationary order made on and after July 1, 2019, in any of the following circumstances:

(1) A final adjudication by the board following an administrative hearing or admitted findings or prima facie showing in a stipulated settlement establishing any of the following:

. . .

(B) Drug or alcohol abuse directly resulting in harm to patients or the extent that such use impairs the ability of the licensee to practice safely."

FIRST CAUSE FOR DISCIPLINE

(Unprofessional Conduct: Dangerous Use of Alcohol)

9. Respondent Neelima Krishnapriya Marupudi, M.D. is subject to disciplinary action under section 2227 and/or 2234 and/or 2234 subdivision (a) and/or section 2239 in that Respondent dangerously used alcohol. The circumstances are as follows:

10. In October 2018, Respondent was performing research as part of her UCSF Pediatric Critical Care Medicine fellowship program. At this time, she was not treating patients. UCSF staff found empty wine bottles at her workstation. At her Board interview, Respondent stated that at that time she was drinking one to two bottles of wine per day, including drinking while on her research rotation at work. She admitted she was drinking an unsafe amount of alcohol in her off hours. Upon the recommendation of personnel at UCSF, she sought treatment for substance abuse.

11. Respondent's certificate is subject to disciplinary action pursuant to sections 2227 and/or 2234 and/or 2234 subdivision (a) and/or 2239 of the Code in that she consumed alcohol in an excessive manner, including while she was working as a research physician, in a manner that was dangerous to herself and/or others, and which evidenced unprofessional conduct.

SECOND CAUSE FOR DISCIPLINE

(Impairment of Ability to Practice Safely)

12. Respondent Neelima Krishnapriya Marupudi, M.D. is subject to disciplinary action under sections 2227 and/or 822 in that Respondent's dependence on alcohol caused an impairment of her ability to practice safely. The circumstances are as follows:

13. Respondent underwent an evaluation by a Board-appointed psychiatrist. The evaluator concluded that Respondent suffers from alcohol dependence. Unless Respondent remains abstinent and sober, she will not be able to safely practice medicine. The evaluator concluded that Respondent requires recovery treatment in order to safely practice medicine.

14. Respondent's certificate is subject to board action pursuant to sections 2227 and/or 822 of the code in that Respondent is impaired in her ability to safely practice medicine as a result of alcohol dependence requiring treatment.

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 142324, issued to Neelima Krishnapriya Marupudi, M.D.;

2. Revoking, suspending or denying approval of Neelima Krishnapriya Marupudi, M.D.'s authority to supervise physician assistants and advanced practice nurses;

3. Ordering Neelima Krishnapriya Marupudi, M.D., if placed on probation, to pay the Board the costs of probation monitoring;

4. Ordering Neelima Krishnapriya Marupudi, M.D., if placed on probation, to provide patient notification in accordance with Business and Professions Code section 2228.1; and,

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

DATED: OCT 19 2020

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

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