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

In the Matter of the Accusation Against:	)	
RAVICHANDRA KOMATIREDDY, M.D.	)	**Case No. 800-2017-038888**
Physician's and Surgeon's Certificate No. A104776	)	
Respondent	)	

DECISION

The attached Stipulated Surrender of License and Disciplinary Order 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 November 8, 2019.

IT IS SO ORDERED October 10, 2019.

MEDICAL BOARD OF CALIFORNIA

By: Kimberly Kirchmeyer
Kimberly Kirchmeyer
Executive Director

XAVIER BECERRA
Attorney General of California
ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
CHRISTINE A. RHEE
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Attorneys for Complainant

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

In the Matter of the Accusation Against: **RAVICHANDRA KOMATIREDDY, M.D.** **1355 Thomas Avenue** **San Diego CA 92109-4254** **Physician's and Surgeon's Certificate No. A104776,** Respondent.	Case No. 800-2017-038888 OAH No: 2019040727 **STIPULATED SURRENDER OF LICENSE AND DISCIPLINARY ORDER**

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-entitled proceedings that the following matters are true:

PARTIES

1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board of California (Board). She brought this action solely in her official capacity and is represented in this matter by Xavier Becerra, Attorney General of the State of California, by Christine A. Rhee, Deputy Attorney General.

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2. Ravichandra Komatireddy, M.D. (Respondent) is representing in this proceeding by attorney David M. Balfour, Esq., whose address is: 1925 Palomar Oaks Way, Suite 220, Carlsbad, CA 92008.

3. On or about July 3, 2008, the Board issued Physician's and Surgeon's Certificate No. A104776 to Ravichandra Komatireddy, M.D. (Respondent). Physician's and Surgeon's Certificate No. A104776 expired on April 30, 2018, and has not been renewed.

JURISDICTION

4. Accusation No. 800-2017-038888 was filed before the Board, and is currently pending against Respondent. Accusation No. 800-2017-038888 and all other statutorily required documents were properly served on Respondent on January 30, 2019. Respondent timely filed his Notice of Defense contesting the Accusation. A true and correct copy of Accusation No. 800-2017-038888 is attached as Exhibit A and incorporated by reference herein.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, and understands the charges and allegations in Accusation No. 800-2017-038888. Respondent also has carefully read, and understands the effects of this Stipulated Surrender of License and Disciplinary Order.

6. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at his own expense; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Having had the benefit of counsel, Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

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CULPABILITY

8. Respondent does not contest that, at an administrative hearing, Complainant could establish a prima facie case with respect to the cause for action contained in paragraphs 15 through 17 of Accusation No. 800-2017-038888.

9. Respondent admits the truth of the charges and allegations contained in paragraphs 18 through 28 of Accusation No. 800-2017-038888, agrees that cause exists for discipline, and hereby surrenders his Physician's and Surgeon's Certificate No. A104776 for the Board's formal acceptance.

10. Respondent agrees that if he files a petition for reinstatement or relicensure, or an accusation and/or petition to revoke probation is filed against him before the Medical Board of California, all of the charges and allegations contained in Accusation No. 800-2017-03888 shall be deemed true, correct, and fully admitted by Respondent for purposes of any such hearing or any other licensing proceeding involving Respondent in the State of California.

11. Respondent understands that by signing this stipulation he enables the Board to issue an order accepting the surrender of his Physician's and Surgeon's Certificate without further process.

12. With Respondent's early acknowledgment that cause exists for the Board's action, Complainant finds good cause under Business and Professions Code section 2307, subdivision (b)(1), and thereby agrees that Respondent may file a petition for reinstatement two years after the effective date of the Board's Decision.

CONTINGENCY

13. Pursuant to Business and Professions Code section 2224, subdivision (b), the Executive Director of the Board has been delegated the authority to adopt or reject a stipulation for surrender of a Physician's and Surgeon's Certificate.

14. The parties agree that this Stipulated Surrender of License and Disciplinary Order shall be null and void and not binding upon the parties unless approved by the Executive Director on behalf of the Board. Respondent fully understands and agrees that in deciding whether or not to approve and adopt this Stipulated Surrender of License and Disciplinary Order, the Executive

Director and/or the Board may receive oral and written communications from its staff and/or the Attorney General's Office. Communications pursuant to this paragraph shall not disqualify the Executive Director, the Board, any member thereof, and/or any other person from future participation in this or any other matter affecting or involving Respondent. In the event that the Executive Director on behalf of the Board does not, in her discretion, approve and adopt this Stipulated Surrender of License and Disciplinary Order, with the exception of this paragraph, it shall not become effective, shall be of no evidentiary value whatsoever, and shall not be relied upon or introduced in any disciplinary action by either party hereto. Respondent further agrees that should this Stipulated Surrender of License and Disciplinary Order be rejected for any reason by the Executive Director on behalf of the Board, Respondent will assert no claim that the Board, or any member thereof, was prejudiced by its/his/her review, discussion and/or consideration of this Stipulated Surrender of License and Disciplinary Order or of any matter or matters related hereto.

15. The Executive Director shall have a reasonable period of time in which to consider and act on this stipulation after receiving it. By signing this stipulation, Respondent fully understands and agrees that he may not withdraw his agreement or seek to rescind this stipulation prior to the time the Executive Director considers and acts upon it.

ADDITIONAL PROVISIONS

16. This Stipulated Surrender of License and Disciplinary Order is intended by the parties herein to be an integrated writing representing the complete, final, and exclusive embodiment of the agreements of the parties in the above-entitled matter.

17. The parties agree that copies of this Stipulated Surrender of License and Disciplinary Order, including copies of the signatures of the parties, may be used in lieu of original documents and signatures and, further, that such copies shall have the same force and effect as originals.

18. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

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DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A104776, issued to Respondent Ravichandra Komatireddy, M.D., is surrendered and accepted by the Board.

1. The surrender of Respondent's Physician's and Surgeon's Certificate No. A104776 and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board.

2. Respondent shall lose all rights and privileges as a Physician and Surgeon in California as of the effective date of the Board's Decision and Order.

3. Respondent shall cause to be delivered to the Board his pocket license and, if one was issued, his wall certificate on or before the effective date of the Decision and Order.

4. If Respondent ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked or surrendered license in effect at the time the petition is filed, and all of the charges and allegations contained in Accusation No. 800-2017-038888 shall be deemed to be true, correct, and admitted by Respondent when the Board determines whether to grant or deny the petition.

5. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation, No. 800-2017-038888 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

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ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Disciplinary Order. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Surrender of License and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: September 13, 2019

RAVICHANDRA KOMATIREDDY, M.D.
Respondent

I have read and fully discussed with Respondent Ravichandra Komatireddy, M.D., the terms and conditions and other matters contained in the above Stipulated Surrender of License and Disciplinary Order. I approve its form and content.

DATED: 9/16/2019

DAVID M. BALFOUR, ESQ.
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Disciplinary Order is hereby respectfully submitted for consideration by the Medical Board of California of the Department of Consumer Affairs.

DATED: _____

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General

CHRISTINE A. RHEE
Deputy Attorney General
Attorneys for Complainant

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ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Disciplinary Order. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Surrender of License and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: _____ _____
RAVICHANDRA KOMATIREDDY, M.D.
Respondent

I have read and fully discussed with Respondent Ravichandra Komatireddy, M.D., the terms and conditions and other matters contained in the above Stipulated Surrender of License and Disciplinary Order. I approve its form and content.

DATED: _____ _____
DAVID M. BALFOUR, ESQ.
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Disciplinary Order is hereby respectfully submitted for consideration by the Medical Board of California of the Department of Consumer Affairs.

DATED: 9/16/19

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General

CHRISTINE A. RHEE
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 800-2017-038888

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Attorneys for Complainant

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO January 30, 2019
BY: ANALYST

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

In the Matter of the Accusation Against: **RAVICHANDRA KOMATIREDDY, M.D.** **1355 Thomas Avenue** **San Diego CA 92109-4254** **Physician's and Surgeon's Certificate No. A104776,** Respondent.	Case No. 800-2017-038888 **ACCUSATION**

Complainant alleges:

PARTIES

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

2. On or about July 3, 2008, the Medical Board issued Physician's and Surgeon's Certificate No. A104776 to Ravichandra Komatireddy, M.D. (Respondent). Physician's and Surgeon's Certificate No. A104776 expired on April 30, 2018, and has not been renewed.

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3. On April 19, 2018, a Stipulation of the Parties re: Interim Suspension Order was issued, immediately suspending Respondent's Physician's and Surgeon's Certificate No. A104776, and prohibiting Respondent from practicing in the State of California. Respondent remains suspended from the practice of medicine as of the date of the filing of this Accusation.

JURISDICTION

4. 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.

5. Section 2220 of the Code states, in pertinent part:

"Except as otherwise provided by law, the board may take action against all persons guilty of violating this chapter. The board shall enforce and administer this article as to physician and surgeon certificate holders, including those who hold certify cates that do not permit them to practice medicine, such as, but not limited to, retired, inactive, or disabled status certificate holders, and the board shall have all the powers granted in this chapter for these purposes...

"..."

6. Section 2227 of the Code states, in pertinent part:

"(a) A licensee whose matter has been heard by an administrative law judge of the Medical Quality Hearing Panel as designated in Section 11371 of the Government Code, or whose default has been entered, and who is found guilty, or who has entered into a stipulation for disciplinary action with the board, may, in accordance with the provisions of this chapter:

"(1) Have his or her license revoked upon order of the board.

"(2) Have his or her right to practice suspended for a period not to exceed one year upon order of the board.

"(3) Be placed on probation and be required to pay the costs of probation monitoring upon order of the board.

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"(4) Be publicly reprimanded by the board. The public reprimand may include a requirement that the licensee complete relevant educational courses approved by the board.

"(5) Have any other action taken in relation to discipline as part of an order of probation, as the board or an administrative law judge may deem proper.

"..."

7. Section 822 of the Code states:

"If a licensing agency determines that its licentiate's ability to practice his or her profession safely is impaired because the licentiate is mentally ill, or physically ill affecting competency, the licensing agency may take action by any one of the following methods:

"(a) Revoking the licentiate's certificate or license.

"(b) Suspending the licentiate's right to practice.

"(c) Placing the licentiate on probation.

"(d) Taking such other action in relation to the licentiate as the licensing agency in its discretion deems proper.

"The licensing section shall not reinstate a revoked or suspended certificate or license until it has received competent evidence of the absence or control of the condition which caused its action and until it is satisfied that with due regard for the public health and safety the person's right to practice his or her profession may be safely reinstated."

8. Section 2234 of the Code, states, in pertinent part:

"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.

"...

"(e) The commission of any act involving dishonesty or corruption which is substantially related to the qualifications, functions, or duties of a physician and surgeon.

"..."

9. Unprofessional conduct under section 2234 of the Code is conduct which breaches the rules or ethical code of the medical profession, or conduct which is unbecoming a member in good standing of the medical profession, and which demonstrates an unfitness to practice medicine. (*Shea v. Board of Medical Examiners* (1978) 81 Cal.App.3d 564, 575.)

10. Section 2238 of the Code states:

"A violation of any federal statute or federal regulation or any of the statutes or regulations of this state regulating dangerous drugs or controlled substances constitutes unprofessional conduct."

11. Section 2239 of the Code states:

"(a) The use or prescribing for or administering to himself or herself, of any controlled substance; or the use of any of the dangerous drugs specified in Section 4022, or 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 or more than one misdemeanor or any felony involving the use, consumption, or self-administration of any of the substances referred to in this section, or any combination thereof, constitutes unprofessional conduct. The record of the conviction is conclusive evidence of such unprofessional conduct.

"..."

12. Section 2261 of the Code states:

"Knowingly making or signing any certificate or other document directly or indirectly related to the practice of medicine or podiatry which falsely represents the existence or nonexistence of a state of facts, constitutes unprofessional conduct."

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13. Section 11173 of the Health and Safety Code states, in pertinent part:

"(a) No person shall obtain or attempt to obtain controlled substances, or procure or attempt to procure the administration of or prescription for controlled substances, (1) by fraud, deceit, misrepresentation, or subterfuge; or (2) by the concealment of a material fact.

"..."

14. Subsection (c) of Section 4022 of the Code defines "dangerous drug" as "[a]ny drug... that by federal or state law can be lawfully dispensed only on prescription...."

SECTION 822 CAUSE FOR ACTION
(Mental Illness Affecting Competency)

15. Respondent's Physician's and Surgeon's Certificate No. A104776 is subject to action under section 822 of the Code in that Respondent's ability to practice medicine safely is impaired due to a mental illness affecting competency, as more particularly alleged hereinafter:

16. On or about October 22, 2018, Respondent attended a mental examination with Steven A. Ornish, M.D. (Dr. Ornish). Dr. Ornish's examination included taking Respondent's medical, psychosocial, and developmental history, and Respondent's past and current psychiatric history and treatment.

17. Based upon his examination of Respondent, Dr. Ornish opined that Respondent's alcohol abuse disorder would affect his ability to practice medicine safely.

FIRST CAUSE FOR DISCIPLINE
(Dishonest Acts)

18. Respondent has subjected his Physician's and Surgeon's Certificate No. A104776 to disciplinary action under sections 2227 and 2234, as defined by section 2234, subdivision (e), of the Code, for committing dishonest acts substantially related to the qualifications, functions or duties of a physician and surgeon, as more particularly alleged hereafter:

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19. On or about September 6, 2017, a pharmacist in San Diego called witness L.M., M.D., to verify an Adderall[1] prescription for Respondent. Witness L.M. notified the pharmacist that the prescription was fraudulent, and that she recognized the patient name on the prescription as one of her former residents. Witness L.M. also notified the Drug Enforcement Agency and the San Diego police.

20. Further investigation showed that Respondent had filled approximately 70 unauthorized prescriptions for Adderall using witness L.M.'s prescription pads since on or about March 30, 2009.[2]

21. On or about November 13, 2017, in *The People of the State of California v. Ravichandra Komatireddy,* San Diego Superior Court Case No. CD274518, Respondent was charged with five (5) felony counts of a violation of Health and Safety Code section 11173, subdivision (a) [obtaining controlled substances by fraud, deceit, or misrepresentation] and five (5) felony counts of a violation of Penal Code section 459 [burglary]. The violations occurred in 2017.

22. On or about April 24, 2018, at the preliminary hearing in *The People of the State of California v. Ravichandra Komatireddy,* San Diego Superior Court Case No. CD274518, Respondent testified and admitted to forging the prescriptions referenced in the criminal complaint on a prescription pad obtained from witness L.M., without her consent.

23. On or about April 24, 2018, an amended felony complaint was filed in *The People of the State of California v. Ravichandra Komatireddy,* San Diego Superior Court Case No. CD274518. In addition to the original charges referenced in paragraph 21, above, Respondent was also charged with five (5) felony counts of a violation of Penal Code section 530.5, subdivision (a) [obtaining and unlawfully using the personal identifying information of another].

24. On or about July 9, 2018, Respondent pleaded guilty to two counts of a violation of Health and Safety Code section 11173, subdivision (a), and one count of a violation of Penal

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[1] Adderall, brand name for amphetamine salt combination, is a stimulant and a Schedule II controlled substance pursuant to Health and Safety Code section 11055, subdivision (d)(1).

[2] Conduct occurring more than seven (7) years from the filing date of this Accusation is for informational purposes only and is not alleged as a basis for disciplinary action.

Code section 530.5, subdivision (a). The Court ordered Respondent to attend one Narcotics Anonymous meeting a week, and to complete 18 months of outpatient drug treatment with random testing and attend bimonthly therapy sessions.

25. On or about September 7, 2018, Respondent was interviewed by a Board investigator. Respondent stated that he started self-prescribing Adderall in 2008 or 2009, and that he used multiple prescription pads in witness L.M.'s name to falsely represent that witness L.M. had written him prescriptions.

SECOND CAUSE FOR DISCIPLINE
(Use or Prescribing for or Administering to Himself of Any Controlled Substance)

26. Respondent has further subjected his Physician's and Surgeon's Certificate No. A104776 to disciplinary action under sections 2227 and 2234, as defined by section 2239, of the Code, in that he repeatedly self-prescribed a controlled substance, as more particularly alleged in paragraphs 19 through 25, above, which are hereby incorporated by reference and re-alleged as if fully set forth herein.

THIRD CAUSE FOR DISCIPLINE
(False Representations)

27. Respondent has further subjected his Physician's and Surgeon's Certificate No. A104776 to disciplinary action under sections 2227 and 2234, as defined by section 2261, of the Code, in that he made false representations by knowingly signing prescriptions for controlled substances, falsely representing the existence of a state of facts, as more particularly alleged in paragraphs 19 through 25, above, which are hereby incorporated by reference and re-alleged as if fully set forth herein.

FOURTH CAUSE FOR DISCIPLINE
(Violating State or Federal Statutes Governing Dangerous Drugs)

28. Respondent has further subjected his Physician's and Surgeon's Certificate No. A104776 to disciplinary action under sections 2227 and 2234, as defined by section 2238, of the Code, in that he violated state and/or federal statutes regulating dangerous drugs, as more

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particularly alleged in paragraphs 19 through 27, above, which are hereby incorporated by reference and re-alleged as if fully set forth herein.

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 No. A104776, issued to Respondent Ravichandra Komatireddy, M.D.;

2. Revoking, suspending or denying approval of Respondent Ravichandra Komatireddy, M.D.'s authority to supervise physician assistants, pursuant to section 3527 of the Code, and advanced practice nurses;

3. Ordering Respondent Ravichandra Komatireddy, 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: January 30, 2019

KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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