

**BEFORE THE SOUTH DAKOTA BOARD  
OF MEDICAL AND OSTEOPATHIC EXAMINERS**

In the Matter of  
**the Medical License of**  
**Ravi Surajmal Mehta, M.B., B.S.**  
**Date of Birth: 10/18/65**  
License Number: 4283

**STIPULATION  
AND ORDER**

IT IS HEREBY STIPULATED AND AGREED, by and between Ravi Surajmal Mehta, M.B. B.S. ("Respondent"), and the South Dakota State Board of Medical and Osteopathic Examiners' Investigative Committee ("Committee") of the South Dakota State Board of Medical and Osteopathic Examiners ("Board") as follows:

1. During all times herein, Respondent has been and now is subject to the jurisdiction of the Board from which he holds a license to practice medicine and surgery in the State of South Dakota.

2. Respondent has been advised by Board representatives that he may choose to be represented by legal counsel in this matter. Respondent has chosen to be represented by Frank Scanlon, Esq., Suite 300, 214 Second Avenue North, Nashville, Tennessee 37201-1638.

**FACTS**

3. For the purpose of this stipulation, the Board may consider the following facts as true:
- a. Respondent has been continuously licensed by the Board to practice medicine in the State of South Dakota since September 4, 1997. Respondent is certified in internal medicine.
  - b. Respondent provided medical care and treatment to Patient #1 from May 27, 1999 until December 7, 1999. Patient #1 was also an employee at the Health Care Center (Center).
  - c. In late-November and early-December 1999, Respondent saw Patient #1 for anxiety and

abdominal discomfort for which he prescribed Ativan .5mg.

d. On December 10, 1999, at approximately 4:45 p.m., Respondent went to Patient #1's office at the Center. Respondent stated that she had asked him to come to her office. He also reported that at the meeting, Patient #1 told him that she was fond of him. While he was in Patient #1's office, they had a single, brief encounter, which he believed was consensual. During that encounter, they hugged and kissed, and there was touching, which Patient #1 reasonably believed to be sexual in nature.

e. On December 13, 1999, Patient #1 reported this incident to the Center's administrator. On that same date, the administrator met with Respondent who denied the allegations.

f. On December 20, 1999, Respondent admitted engaging in this conduct with Patient #1.

g. On February 18, 2000, the Board of Directors of the Center advised Respondent of its decision to terminate the employment agreement effective January 3, 2000

h. Respondent voluntarily reported this situation to the Board on or about February 7, 2002.

i. In that report, Respondent described the incident with Patient #1 on December 10, 1999. Respondent was disciplined for the aforementioned conduct by the Minnesota Board of Medical Practice (Minnesota Board) by a Stipulation and Order dated August 13, 2002. The Stipulation and Order placed certain conditions on Respondent's Minnesota license including, among other things, that Respondent receives therapy for a period of time from a psychiatrist or therapist approved by the Minnesota Board. Termination of this therapy shall be upon the recommendation of the psychiatrist or therapist with approval of the Minnesota Board.

## STATUTES

4. The Committee views Respondent's practices as inappropriate in such a way as to require Board action under SDCL 36-4-30, and Respondent agrees that the conduct cited above constitutes a reasonable basis in law and fact to justify the disciplinary action under these statutes.

## REMEDY

5. Upon this Stipulation and all of the files, records, and proceedings herein, and without any further notice or hearing herein, Respondent does hereby consent that until further order of the Board, made after notice and hearing upon application by Respondent or upon the Board's own motion, the Board may make and enter an order conditioning and restricting Respondent's license to practice medicine and surgery in the State of South Dakota as follows:

- a. Respondent is hereby **REPRIMANDED**.
- b. Respondent is prohibited from engaging in conduct with a patient which is sexual or may reasonably be interpreted as sexual by the patient.
- c. Respondent shall receive therapy from a psychiatrist or therapist approved in advance by the Board. The therapist shall submit quarterly reports to the Board or its designee regarding Respondent's diagnosis and therapy and progress in therapy. Respondent shall meet with the therapist at least monthly for the first six months, or more often if recommended by the therapist, and thereafter as recommended by the therapist with the approval of the Board. Termination of therapy shall be at the recommendation of the approved therapist, with approval of the Board or upon termination of therapy being approved by the Minnesota Board under its Order and Stipulation with the Respondent.
- d. Within one year from the date of this Order, Respondent shall successfully complete a professional boundaries training course approved in advance by the Board. Successful completion shall be determined by the Board..
- e. This Stipulation and Order shall remain in effect for a minimum of one year from the date of this Order or until such time as the Minnesota Board orders reinstatement of an unconditional license to the Respondent in that jurisdiction. Upon the occurrence of either of these events, Respondent may petition for reinstatement of an unconditional license in South Dakota. Upon hearing the petition, the Board may

continue, modify, or remove the conditions set out herein.

f. If Respondent intends to return to South Dakota to practice, he shall first notify the Board in writing and shall appear before the Committee of the Board prior to commencing practice. Following such meeting, the Committee may recommend that the Board continue, modify, or remove the conditions on Respondent's license or that the Board may impose additional conditions and restrictions as deemed necessary.

6. Within thirty (30) days of the date of this Order, Respondent shall provide the Board with a list of all hospitals and skilled nursing facilities at which Respondent currently has medical privileges, a list of all states in which Respondent is licensed or has applied for licensure, and the addresses and telephone numbers of Respondent's residences and all work sites. Within seven (7) days of any change, Respondent shall provide the Board with the new address and telephone information. The information shall be sent to Charvin Dixon, South Dakota State Board of Medical and Osteopathic Examiners, 1323 S. Minnesota Avenue, Sioux Falls, South Dakota, 57105.

7. In the event Respondent resides or practices outside the State of South Dakota, Respondent shall promptly notify the Board in writing of the location of his residence and all work sites. Periods of residency or practice outside of South Dakota will not be credited toward any period of Respondent's suspended, limited, or conditioned license in South Dakota unless Respondent demonstrates that practice in another state conforms completely with Respondent's South Dakota license to practice medicine.

8. If Respondent shall fail, neglect, or refuse to fully comply with each of the terms, provisions, and conditions herein, the Committee shall schedule a hearing before the Board. The Committee shall mail Respondent a notice of the violation alleged by the Committee and of the time and place of the hearing. Respondent shall submit a response to the allegations at least three days prior to the hearing. If Respondent does not submit a timely response to the Board, the allegations may be deemed admitted.

At the hearing before the Board, the Committee and Respondent may submit affidavits made on personal knowledge and argument based on the record in support of their positions. The evidentiary record before the Board shall be limited to such affidavits and this Stipulation and Order. Respondent waives a hearing before an administrative law judge and waives discovery, cross-examination of adverse witnesses, and other procedures governing administrative hearings or civil trials.

At the hearing, the Board will determine whether to impose additional disciplinary action, including additional conditions or limitations on Respondent's practice, or suspension or revocation of Respondent's license.

9. In the event the Board in its discretion does not approve this settlement, this Stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced in any disciplinary action by either party hereto except that Respondent agrees that should the Board reject this Stipulation and if this case proceeds to hearing, Respondent will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation or of any records relating hereto.

10. Respondent waives any further hearings on this matter before the Board to which Respondent may be entitled by South Dakota or United States constitutions, statutes, or rules and agrees that the order to be entered pursuant to the Stipulation shall be the final order herein.

11. Respondent hereby acknowledges that he has read and understands this Stipulation and has voluntarily entered into the Stipulation without threat or promise by the Board or any of its members, employees, or agents. This Stipulation contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this stipulation.

Dated: December 23, 2002

Ravi Mehta  
RAVI SURAJMAL MEHTA, M.B., B.S.  
Respondent

Dated: 1-3, 2003

Maureen Dillon  
For the Committee

**ORDER**

Upon consideration of this Stipulation and all the files, records, and proceedings herein,

IT IS HEREBY ORDERED that the terms of this Stipulation are adopted and implemented by the Board

This 3<sup>rd</sup> day of January, 2003.

SOUTH DAKOTA BOARD OF MEDICAL  
AND OSTEOPATHIC EXAMINERS

By: [Signature]