

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

FILED
MAR 25 2005
KS Board of Healing Arts

In the Matter of)
)
KRISHNA RAJANNA, M.D.) Docket No. 05-HA-58
Kansas License No. 04-15624)
_____)

EMERGENCY ORDER

NOW ON THIS 25th Day of March 2005, comes before the Presiding Officer a motion of an order temporarily suspending the license of Respondent Krishna Rajanna, M.D. The motion is based upon the sworn statement. This order is issued *ex parte*.

Having the agency record before her, consisting of the record of the prior proceeding and the petition, attachment and motion in the present case, the Presiding Officer finds, concludes, and orders as follows:

1. The Board limited the license of Respondent in a consent order dated February 12, 2005. The basis for the limitation was Respondent's failure to maintain a clean clinic and to properly maintain medications. The limitations placed guidelines that Respondent must meet in order to practice medicine and surgery. The order also stated that the Board would conduct unannounced inspections to ensure compliance with the limitations.
2. On March 22 and 24, 2005, a Board investigator conducted unannounced inspections of Respondent's office.
3. The Board investigator observed a dead rodent in a clinic hallway, carpet was not vacuumed and showed visible dirt, trash cans did not have lids, and the toilet in a public restroom was not clean.

4. The Board investigator also observed pre-drawn syringes that included controlled substances in an unsecured refrigerator. The syringes were not properly labeled.

5. The Board investigator also observed the medical waste container having no lid in place. Blood and tissue items were in the container.

6. Respondent practices medicine and surgery in the office location.

7. The Presiding Officer finds and concludes that Respondent has violated the healing arts act by engaging in acts described at K.S.A. 65-2836. Specifically, Respondent has violated a prior Board order as provided by subsection (k), has engaged in unprofessional conduct as provided by subsection (b) and as defined by K.S.A. 65-2837(b)(12), has repeatedly violated the Kansas pharmacy act as provided by subsection (f), and has violated a federal law relating to controlled substances as provided by subsection (q).

8. The Presiding Officer also finds that an immediate suspension of Respondent's license is necessary in order to protect the public health, safety and welfare, as provided by K.S.A. 65-2838 and 77-536.

IT IS, THEREFORE, ORDERED that the license of Respondent is immediately suspended, and shall remain suspended until further order of the Board. This suspension shall not prevent Respondent from completing any procedure that he has initiated prior to receiving notice of the suspension if terminating the procedure would create a danger to the patient, or from managing the recovery from a procedure of any patient he has treated immediately prior to receiving notice of this order. In order to protect the health and safety of patients Respondent has recently treated, Respondent shall be available by

telephone during normal office hours to answer patient's questions so long as he does not prescribe or direct the administration of any drug, to refer patients to another physician if appropriate, and to direct patients to a medical care facility if an emergency exists.

Respondent shall have an affirmative duty to refer to another physician any patient to whom he has administered Methotrexate within the last 10 days.

IT IS FURTHER ORDERED that a hearing on the motion shall commence at 9:00 on Thursday, March 31, 2005 in the Board office. A party who does not participate in the proceeding may be held in default. No further notice of hearing will be given.

IT IS FURTHER ORDERED that Petitioner shall serve this order, and shall make reasonable attempts for personal service. Upon completion of service, a certificate of service shall be filed.

PLEASE TAKE NOTICE that this is an emergency order. An emergency order is effective when rendered. This order is non-final agency action. A party may obtain judicial review of non-final agency action by filing a petition in the district court as provided by K.S.A. 77-608. Notice of an emergency order constitutes service for the purposes of the act for judicial review and civil enforcement of agency action, K.S.A. 77-601, *et seq.*

Dated this 25th Day of March 2005.

State Board of Healing Arts

/s/
Nancy J. Welsh, M.D.
Presiding Officer