

IN THE MATTER OF	*	BEFORE THE MARYLAND
ANANTH R. NANCHERLA, M.D.	*	STATE BOARD OF
Respondent	*	PHYSICIANS
License Number: D43827	*	Case Number: 2220-0231

* * * * *

CONSENT ORDER

PROCEDURAL BACKGROUND

The Maryland Board of Physicians (the "Maryland Board") received information that Ananth R Nancherla, M.D., (the "Respondent") License Number D43827, was disciplined by the Virginia Board of Medicine (the "Virginia Board"). By Order dated February 5, 2020, the Respondent was reprimanded.

Based on the above referenced Virginia Board sanction, the Maryland Board has grounds to charge the Respondent with violating the following provisions of the Maryland Medical Practice Act (the "Act"), under H. O. § 14-404(a):

- (a) Subject to the hearing provisions of § 14-405 of this subtitle, a disciplinary panel, on the affirmative vote of a majority of the quorum of the disciplinary panel, may reprimand any licensee, place any licensee on probation, or suspend or revoke a license if the licensee:
 - (21) Is disciplined by a licensing or disciplinary authority or convicted or disciplined by a court of any state or country or disciplined by any branch of the United States uniformed services or the Veteran's Administration for an act that would be grounds for disciplinary action under this section,

The Maryland Board has determined that the acts for which the Respondent was disciplined in Virginia would be grounds for disciplinary action under H.O. § 14-404(a) (22) and (40). The ground for disciplinary action under H.O. § 14-404(a) is as follows:

(22) Fails to meet appropriate standards as determined by appropriate peer review for the delivery of quality medical care and surgical care performed in an outpatient surgical facility, office, hospital, or any other location in this State;

(40) Fails to keep adequate medical records as determined by appropriate peer review

Based on the action taken by the Virginia Board, the Respondent agrees to enter into this Consent Order with the Maryland Board of Physicians, consisting of Procedural Background, Findings of Fact, Conclusions of Law, and Order of reciprocal action.

I. FINDINGS OF FACT

The Board finds the following:

1. At all times relevant hereto, the Respondent was a physician licensed to practice medicine in the State of Maryland. The Respondent was initially licensed in Maryland on or about October 20, 1992.

2. By Order dated February 5, 2020, the Virginia Board found that the Respondent failed to document an order in a patient's medical record for continuous respiratory monitoring with a history of obstructive sleep apnea. A copy of the Virginia Board Order is attached hereto.

II. CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Maryland Board concludes as a matter of law that the disciplinary action taken by the Virginia Board against the Respondent was for an act or acts that would be grounds for disciplinary action under Health Occ. § 14-404(a)(22) had those offenses been committed in this state, and would thus subject him to discipline under Health Occ. §14-404(a)(21).

III. ORDER

It is hereby:

ORDERED that the Respondent is hereby **REPRIMANDED**; and be it further

ORDERED that this **CONSENT ORDER** is a **PUBLIC DOCUMENT** pursuant to Md.

Code Ann., Gen. Prov. §§4-101 through 4-601 (2014).

04/27/2020
Date

Signature on File

Christine A. Farrelly
Executive Director
Maryland Board of Physicians

CONSENT

I, Ananth R. Nancherla, M.D. assert that I am aware of my right to consult with and be represented by counsel in considering this Consent Order and in any proceedings that would otherwise result from the charges currently pending. I have chosen to proceed without counsel and I acknowledge that the decision to proceed without counsel is freely and voluntarily made.

By this Consent, I agree to be bound by this Consent Order and all its terms and conditions and understand that the disciplinary panel will not entertain any request for amendments or modifications to any condition.

I assert that I am aware of my right to a formal evidentiary hearing, pursuant to Md. Code Ann., Health Occ. § 14-405 and Md. Code Ann., State Gov't §§ 10-201 et seq. concerning the pending charges. I waive this right and have elected to sign this Consent Order instead.

I acknowledge the validity and enforceability of this Consent Order as if entered after the conclusion of a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my behalf, and to all other substantive and procedural protections as provided by law. I waive those procedural and substantive protections. I acknowledge the legal authority and the jurisdiction of the disciplinary panel to initiate these proceedings and to issue and enforce this Consent Order.

I voluntarily enter into and agree to comply with the terms and conditions set forth in the Consent Order as a resolution of the charges. I waive any right to contest the Findings of Fact and Conclusions of Law and Order set out in the Consent Order. I waive all rights to appeal this Consent Order.

I sign this Consent Order, without reservation, and fully understand the language and meaning of its terms.

Signature on File

4/20/2020
Date

Ananth R. Nancherla, M.D.
Respondent

NOTARY

STATE OF VA

CITY/COUNTY OF Lowdoun

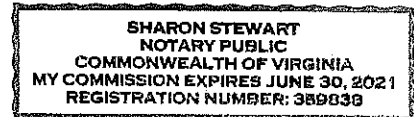
I HEREBY CERTIFY that on this 20th day of April, 2020, before me, a Notary Public of the State and City/County aforesaid, personally appeared Ananth R. Nancherla, M.D. and made oath in due form of law that the foregoing Consent Order was his voluntary act and deed.

AS WITNESS my hand and notarial seal.



Notary Public

My Commission expires: 06/30/2021



BEFORE THE VIRGINIA BOARD OF MEDICINE

IN RE: ANANTH RAO NANCHERLA, M.D.
License Number: 0101-044392
Case Number: 196313

CONSENT ORDER**JURISDICTION AND PROCEDURAL HISTORY**

The Virginia Board of Medicine ("Board") and Ananth Rao Nancherla, M.D., as evidenced by their signatures hereto, in lieu of proceeding to an informal conference, enter into the following Consent Order affecting Dr. Nancherla's license to practice medicine and surgery in the Commonwealth of Virginia.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Ananth Rao Nancherla, M.D., was issued License Number 0101-044392 to practice medicine and surgery on September 1, 1989, which is scheduled to expire on November 30, 2020.
2. Dr. Nancherla violated Virginia Code § 54.1-2915(A)(3), (13), and (16) in his care and treatment of Patient A, a 45-year old male with a history of obstructive sleep apnea who was noncompliant with the use of his continuous positive airway pressure device. Specifically:
 - a. On July 28, 2015, Patient A underwent a partial nephrectomy to remove a malignant renal mass. Another physician initiated anesthesia at 1235 hours, and Dr. Nancherla assumed anesthesia management at 1729 hours. Patient A remained under Dr. Nancherla care while in the post-anesthesia care unit ("PACU"). Immediately upon extubation after the surgical procedure, Patient A required a laryngeal mask airway to support respiration.
 - b. Due to Patient A's increased risk for an airway obstruction, Dr. Nancherla requested a transfer to the intensive care unit ("ICU") for continuous respiratory monitoring, including pulse oximetry and end-tidal carbon dioxide. An ICU bed was not available, and the nursing manager

suggested that Patient A be transferred to the telemetry unit with an ICU nurse to provide monitoring. Dr. Nancherla verbally agreed to the plan, but failed to document an order in Patient A's medical record for continuous respiratory monitoring.

c. Patient A did not receive continuous respiratory monitoring, and between 2249 hours and 0022 hours, Patient A received hydromorphone 1mg, diazepam 0.5mg, and promethazine 12.5mg for pain, anxiety, and nausea, respectively. At 1245 hours, Patient A was found to be lethargic and unresponsive, with apneic breathing. A computed tomography scan of Patient A's head on the afternoon of July 29, 2015, revealed hypoxic ischemic encephalopathy and diffuse cerebral edema.

d. Patient A remained in the hospital comatose, unresponsive, and on a ventilator until August 25, 2015, at which time he was transferred to a long-term care facility. Patient A was taken off life support and expired on October 4, 2015.

3. In a written statement to a Senior Investigator for the Virginia Department of Health Professions, dated August 27, 2019 ("Written Statement"), Dr. Nancherla stated that he never would have authorized transferring Patient A to the telemetry unit if he (Dr. Nancherla) had not been assured that Patient A would receive continuous respiratory monitoring.

4. In his Written Statement, Dr. Nancherla acknowledged that he did not write an order for the respiratory monitoring he wanted for Patient A, but rather relied upon the representations of the nursing supervisor that such monitoring would be provided. Now, when he has a patient who requires a higher level of monitoring, Dr. Nancherla enters a written order into the computer, in addition to his verbal order. He is also more vigilant about speaking with the operating surgeon about the post-PACU plan of care, and Dr. Nancherla speaks directly with the receiving physician whenever one of his patients is transferred to the ICU.

CONSENT

Ananth Rao Nancherla, M.D., by affixing his signature to this Consent Order, agrees to the following:


1. I have been advised to seek advice of counsel prior to signing this document and am represented by Byron J. Mitchell, Esquire;
2. I am fully aware that without my consent, no legal action can be taken against me or my license except pursuant to the Virginia Administrative Process Act, Virginia Code § 2.2-4000 *et seq.*;
3. I acknowledge that I have the following rights, among others: the right to an informal fact-finding conference before the Board; and the right to representation by counsel;
4. I waive my right to an informal conference;
5. I admit to the Findings of Fact and Conclusions of Law contained herein and waive my right to contest such Findings of Fact and Conclusions of Law and any sanction imposed hereunder in any future judicial or administrative proceeding in which the Board is a party;
6. I consent to the entry of the following Order affecting my license to practice medicine and surgery in the Commonwealth of Virginia.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Medicine hereby ORDERS that Ananth Rao Nancherla, M.D., is REPRIMANDED.

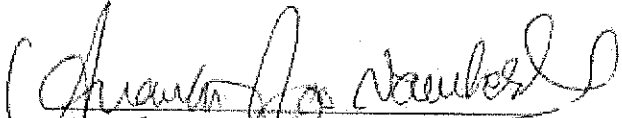
Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

FOR THE BOARD


Jennifer Deschenes, J.D., M.S.
Deputy Executive Director
Virginia Board of Medicine

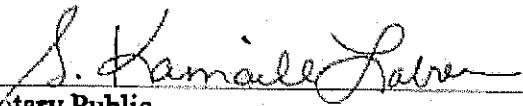
ENTERED: 2/5/20

SEEN AND AGREED TO:


Ananth Rao Nancherla, M.D.

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF Loudoun, TO WIT:

Subscribed and sworn to before me, a notary public in and for the Commonwealth of Virginia at large,
on this 31 day of January, 2020.


Notary Public

My commission expires: 8/31/22

Registration No.: 7592062

SAMI KAMAILE LABOR
NOTARY PUBLIC
REGISTRATION # 7892082
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
AUGUST 31, 2022