

IN THE MATTER OF

*

BEFORE THE

RAVI MURALI, M.D.

*

MARYLAND STATE

Respondent

*

BOARD OF PHYSICIANS

License Number: D73525

*

Case Number: 2222-0089A

* * * * *

FINAL DECISION AND ORDER

PROCEDURAL HISTORY

Ravi Murali, M.D., was originally licensed to practice medicine in the State of Maryland on January 10, 2012, under license number D73525. On March 10, 2021, in the United States District Court for the Western District of Wisconsin, Dr. Murali pled guilty to one count of Healthcare Fraud, in violation of 18 U.S.C. § 1347. On November 22, 2021, Dr. Murali was sentenced to 54 months in prison to commence on his reporting date of January 10, 2022, followed by three years of supervised probation and restitution in the amount of \$291,480.00.

On October 14, 2021, the Office of the Attorney General filed with the Maryland Board of Physicians (the “Board”) a petition to suspend Dr. Murali’s license to practice medicine and a proposed show cause order pursuant to section 14-404(b)(1) of the Maryland Medical Practice Act. The Board did not receive a response from Dr. Murali. On January 10, 2022, Panel A issued an Order suspending the license of Dr. Murali pursuant to Health Occ. § 14-404(b)(1).¹

On July 22, 2022, the Office of the Attorney General filed with the Board a petition to revoke Dr. Murali’s license to practice medicine and a proposed show cause order pursuant to section 14-404(b)(2) of the Maryland Medical Practice Act. The statute provides:

¹ At the time the Petition was filed in this case, Dr. Murali had not yet been sentenced. Accordingly, a Petition to suspend Dr. Murali’s license was filed pursuant to Health Occ. § 14-404(b)(1) instead of a petition to revoke pursuant to Health Occ. § 14-404(b)(2), which is now warranted after the completion of sentencing.

(2) After completion of the appellate process if the conviction has not been reversed or the plea set aside with respect to a crime involving moral turpitude, a disciplinary panel shall order the revocation of a license on the certification by the Office of the Attorney General.

Md. Code Ann., Health Occupations Article (“Health Occ.”) § 14-404(b) (2021 Repl. Vol.). Attached to the Petition were certified copies of the indictment, docket entries, transcript of the plea agreement proceedings, judgment, and transcript of the sentencing proceedings. Dr. Murali was ordered by the Board to show cause in writing, on or before August 29, 2022, if there was any reason why his license should not be revoked. The Board did not receive a response from Dr. Murali. Having reviewed and considered the entire record in this case, Panel A issues this Final Decision and Order. COMAR 10.32.02.07H(1).

FINDINGS OF FACT

Panel A finds the following:

1. On March 10, 2021, Dr. Murali pled guilty to one count of Healthcare Fraud, in violation of 18 U.S.C. § 1347.²
2. During the guilty plea hearing, the following discussion was held between Dr. Murali and the Court:

Court: What did you do that led to your being charged here with Medicare Fraud?

Dr. Murali: I prescribed the braces, without following procedure of examining and calling the patients, that led to unnecessary Medicare billing.

Court: Okay. In fact, not just unnecessary, but you knew that it was actually deceptive and fraudulent; is that correct?

Dr. Murali: Yes.

² 18 U.S.C. § 1347 states:

Whoever knowingly and willfully executes, or attempts to execute, a scheme or artifice—

(1) to defraud any health care benefit program; or

(2) to obtain, by means of false or fraudulent pretenses, representations, or promises, any of the money or property owned by, or under the custody or control of, any health care benefit program, in connection with the delivery of or payment for health care benefits, items, or services, shall be fined under this title or imprisoned not more than 10 years, or both.

Court: Okay. And so you didn't follow procedure, is one way of putting it, but also you knew that you were not complying with the regulations that pertained to prescribing the durable medical equipment; is that correct?

Dr. Murali: Yes, Your Honor.

Court: And you did this - - What was the purpose in your doing that?

Dr. Murali: I was just trying to make - - trying to get by.

Court: In terms of financially, you mean? You did it to make money; is that correct?

Dr. Murali: Yes, Your Honor.

3. The Judge found that there was a factual basis for the guilty plea and that Dr. Murali entered the plea of guilty knowingly and voluntarily, and, accordingly, found Dr. Murali guilty of Healthcare Fraud.
4. On November 22, 2021, Dr. Murali was sentenced to 54 months in prison to commence on his reporting date of January 10, 2022, followed by three years of supervised probation and restitution in the amount of \$291,480.00.
5. On January 10, 2022, Panel A issued a final decision and order suspending Dr. Murali's license to practice medicine pursuant to Health Occ. § 14-404(b)(1).
6. The time for filing an appeal has passed and the conviction has not been reversed and the guilty plea has not been set aside.

DISCUSSION

Section 14-404(b)(2) of the Health Occupations Article provides: "After completion of the appellate process if the conviction has not been reversed or the plea has not been set aside with respect to a crime involving moral turpitude, a disciplinary panel shall order the revocation of a license on the certification by the Office of the Attorney General." In the final decision and order issued on January 10, 2022, Panel A determined that Dr. Murali's conviction and guilty plea to health care fraud is a crime involving moral turpitude and suspended Dr. Murali's license to practice medicine. The relevant portion of the discussion section from the January 10, 2022 order is as follows:

Under Health Occ. §14-404(b)(1), a disciplinary panel has the obligation and discretion to determine what types of crimes are crimes involving moral turpitude for licensing and disciplinary purposes. “The term moral turpitude has been defined generally as importing an act of baseness, vileness or depravity in the private and social duties which a man owes to his fellow men, or to society in general, contrary to the accepted and customary rule of right and duty between man and man.” *Attorney Grievance Comm’n of Md. v. Walman*, 280 Md. 453, 459 (1977) (internal quotation marks omitted). “[I]t is settled that whatever else [moral turpitude] may mean . . . a crime in which an intent to defraud is an essential element is a crime involving moral turpitude. It is also settled that the related group of offenses involving intentional dishonesty for purposes of personal gain are crimes involving moral turpitude[.]” *Id.* at 459-60. “[I]n the context of a licensing board’s review of the conduct of its licensee, the concept of moral turpitude is rather broad.” *Oltman v. Maryland State Bd. Of Physicians*, 162 Md. App. 457, 483 (2005).

The statutory text is clear that fraud is an essential element of the crime that Dr. Murali pled guilty to. Healthcare fraud includes the knowing and willful execution of a scheme to *defraud* any health care benefit program or to obtain money or property of any health care benefit program by false or *fraudulent* pretenses. 18 U.S.C. § 1347 (emphasis added).

In addition to the elements of the crime, Dr. Murali’s admissions to the Court also establish that Dr. Murali’s crime involved moral turpitude. Dr. Murali admitted to defrauding the Medicare program by knowingly prescribing durable medical equipment without following the required regulations for purposes of his own personal financial gain. *Walman*, 280 Md. at 459-60. Therefore, the facts of this case also establish that Dr. Murali pled guilty to a crime involving moral turpitude.

The appellate process is now complete and Dr. Murali’s conviction and guilty plea have not been set aside, as a result, Panel A is now required to order the revocation of Dr. Murali’s license to practice medicine pursuant to section 14-404(b)(2) of the Health Occupations Article.

CONCLUSION OF LAW

In the January 10, 2022 final decision and order, Panel A concluded that Dr. Murali pled guilty to a crime involving moral turpitude. Pursuant to section 14-404(b)(2) of the Health Occupations Article, upon the completion of the appellate proceedings, Panel A is now required to order the revocation of Dr. Murali’s license to practice medicine.

ORDER

It is, by Board Disciplinary Panel A, hereby:

ORDERED that the license of Ravi Murali, M.D., license number D73525, to practice medicine in Maryland is **REVOKED**, as mandated by Health Occ. § 14-404(b)(2); and it is further

ORDERED that the suspension imposed in the January 10, 2022, Final Decision and Order is **TERMINATED AS MOOT**; and it is further

ORDERED that this is a **PUBLIC DOCUMENT**. See Md. Code Ann., Health Occ. § 1-607, 14-411.1(b)(2) and Gen. Prov. § 4-333(b)(6).

9/30/2022
Date

Signature On File

Ellen Douglas Smith, Deputy Director
Maryland State Board of Physicians

NOTICE OF RIGHT TO PETITION FOR JUDICIAL REVIEW

Pursuant to Md. Code Ann., Health Occ. § 14-408, Dr. Murali has the right to seek judicial review of this Final Decision and Order. Any petition for judicial review shall be filed within thirty (30) days from the date of mailing of this Final Decision and Order. The cover letter accompanying this final decision and order indicates the date the decision is mailed. Any petition for judicial review shall be made as provided for in the Administrative Procedure Act, Md. Code Ann., State Gov't § 10-222 and Title 7, Chapter 200 of the Maryland Rules of Procedure.

If Dr. Murali files a petition for judicial review, the Board is a party and should be served with the court's process at the following address:

Christine A. Farrelly, Executive Director
Maryland State Board of Physicians
4201 Patterson Avenue
Baltimore, Maryland 21215

Notice of any petition for judicial review should also be sent to the Board's counsel at Stacey.darin@maryland.gov and mailed to the following address:

Stacey Darin, Assistant Attorney General
Office of the Attorney General

**Maryland Department of Health
300 West Preston Street, Suite 302
Baltimore, Maryland 21201**