

**IN AND BEFORE THE OKLAHOMA STATE BOARD  
OF MEDICAL LICENSURE AND SUPERVISION  
STATE OF OKLAHOMA**

**FILED**

**STATE OF OKLAHOMA** )  
**EX REL. THE OKLAHOMA BOARD** )  
**OF MEDICAL LICENSURE** )  
**AND SUPERVISION,** )

SEP 26 2002

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

**Plaintiff,** )

**v.** )

**Case No. 01-09-2400**

**KALPANA MOHANDAS, M.D.,** )  
**SPECIAL TRAINING LICENSE NO. 20421** )

**Defendant.** )

**FINAL ORDER OF REVOCATION**

This cause came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision (the "Board") on September 19, 2002, at the office of the Board, 5104 N. Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

Elizabeth A. Scott, Assistant Attorney General, appeared for the plaintiff and defendant appeared through counsel, Hilary Phillips.

The Board *en banc* after hearing arguments of counsel, reviewing the exhibits admitted and the sworn testimony of witnesses, and being fully advised in the premises, found that there is clear and convincing evidence to support the following Findings of Fact, Conclusions of Law and Orders:

***Findings of Fact***

1. The Board is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of physicians and surgeons in the State of Oklahoma pursuant to 59 Okla. Stat. §480 *et seq.*

2. The Board has jurisdiction over this matter, and notice has been given in all respects in accordance with law and the rules of the Board.

3 Defendant, Kalpana Mohandas, M.D., holds Oklahoma special training license no. 20421

4. From October 1999 through December 14, 2000, Defendant was a resident in the Anesthesiology Residency Program at the University of Oklahoma Health Sciences Center in Oklahoma City, Oklahoma.

5. On or about September 20, 2000, Defendant was placed on probation based upon faculty evaluations that she was falling below the expected standard for her stage in training, that she was failing to meet the performance standards, and that she scored below the 1% level nationally on her in-training examinations. Defendant's probation was to last until the end of November 2000, at which time her performance would be reviewed.

6. On or about December 14, 2000, Defendant was notified that she had not satisfied the terms of her probation and that she was terminated from the residency program. Specifically, it was determined that she had fallen so far behind in knowledge that she would be unable to catch up, that she had little insight into a patient's condition relative to the anesthetic implications, that she played a passive role in patient planning and management, and that she had a lack of basic and specialty knowledge of anesthesia. Defendant additionally received unsatisfactory evaluations during her probationary period.

7. On or about July 1, 2001, Defendant entered the Family Practice Residency Program at the University of Oklahoma Health Sciences Center, Southwest Oklahoma Family Practice Clinic in Lawton, Oklahoma.

8. On or about August 7, 2001, Defendant submitted her Application for Renewal of her Special Training License in the State of Oklahoma for the period September 2, 2001 through September 1, 2001. On her Application for Renewal, Defendant was asked the following question: "Since the last renewal or initial licensure (whichever is most recent): Have you been denied privileges, lost privileges or received discipline by any hospital or other professional medical organization?" In response to this question, the Defendant answered "NO".

9. On or about April 1, 2002, Defendant was placed on a ninety (90) day program of "Increased Academic Study" in the Family Practice Residency Program based upon difficulties with utilization of her knowledge base.

10. On or about July 11, 2002, the Family Practice Residency Program at the University of Oklahoma Health Sciences Center, Southwest Oklahoma Family Practice Clinic in Lawton, Oklahoma elected not to renew Defendant's contract for her PGY3 year. The non-renewal of her contract was based upon her failure to complete required elements of her academic probation.

11. During the time Defendant was both an anesthesiology resident and a family practice resident, Defendant performed numerous procedures at which time patient care was

jeopardized due to Defendant's acts of negligence or her inability to perform the required procedures with appropriate skill and knowledge.

12 Defendant is guilty of unprofessional conduct in that she:

A. Engaged in conduct which is likely to deceive, defraud or harm the public in violation of 59 O.S. §509(9) and OAC 435:10-7-4(11).

B. Engaged in gross or repeated negligence in the practice of medicine and surgery in violation of OAC 435:10-7-4(15).

C. Engaged in practice or other behavior which demonstrates an incapacity or incompetence to practice medicine and surgery in violation of OAC 435:10-7-4(18).

D. Engaged in fraud or misrepresentation in applying for or procuring a medical license or in connection with applying for or procuring periodic reregistration of a medical license in violation of OAC 435:10-7-4(8).

E. Violated any provision of the medical practice act or the rules and regulations of the Board or of an action, stipulation, or agreement of the Board in violation of 59 O.S. §509(14) and OAC 435:10-7-4(39).

F. Used a false, fraudulent or deceptive statement in a document connected with the practice of medicine and surgery in violation of OAC 435:10-7-4(19).

### *Conclusions of Law*

1. The Board has jurisdiction and authority over the Defendant and subject matter herein pursuant to the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act (the "Act") and its applicable regulations. The Board is authorized to enforce the Act as necessary to protect the public health, safety and welfare.

2 Defendant is guilty of unprofessional conduct in that she

- A. Engaged in conduct which is likely to deceive, defraud or harm the public in violation of 59 O.S. §509(9) and OAC 435:10-7-4(11).
- B. Engaged in gross or repeated negligence in the practice of medicine and surgery in violation of OAC 435:10-7-4(15).
- C. Engaged in practice or other behavior which demonstrates an incapacity or incompetence to practice medicine and surgery in violation of OAC 435:10-7-4(18).
- D. Engaged in fraud or misrepresentation in applying for or procuring a medical license or in connection with applying for or procuring periodic reregistration of a medical license in violation of OAC 435:10-7-4(8).
- E. Violated any provision of the medical practice act or the rules and regulations of the Board or of an action, stipulation, or agreement of the Board in violation of 59 O.S. §509(14) and OAC 435:10-7-4(39).
- F. Used a false, fraudulent or deceptive statement in a document connected with the practice of medicine and surgery in violation of OAC 435:10-7-4(19).

3. The Board further found that the Defendant's license should be revoked based upon any or all of the violations of the unprofessional conduct provisions of 59 O.S. §509 (9) and (14) and OAC Title 435:10-7-4(8), (11), (15), (18), (19) and (39).


*Order*

IT IS THEREFORE ORDERED by the Oklahoma State Board of Medical Licensure and Supervision as follows:

- 1. The license of Defendant, Kalpana Mohandas, M.D., Oklahoma Special Training License no. 20421, is hereby **REVOKED** as of the date of this hearing, September 19, 2002.
- 2. Promptly upon receipt of an invoice, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees and costs, investigation costs, staff time, salary and travel expenses, witness fees and attorney's fees.

3. Defendant's revoked license shall not be reinstated unless Defendant has reimbursed the Board for all taxed costs.

Dated this 26 day of September, 2002.

  
Gerald C. Zumwalt, M.D., Secretary  
Oklahoma State Board of Medical  
Licensure and Supervision

**CERTIFICATE OF SERVICE**

I certify that on the 3 day of <sup>Oct</sup> ~~September~~, 2002, I mailed, via first class mail, postage prepaid, a true and correct copy of this Order to Kalpana Mohandas, 4427 W. Gore, Lawton, OK and to Hilary Phillips, 1802 N. Shartel, Oklahoma City, OK 73103.

  
Janet Swindle