

BEFORE THE IOWA BOARD OF MEDICINE

IN THE MATTER OF THE CONSENT AGREEMENT FOR

RAVI C. ASHWATH, M.D., APPLICANT

FILE No. 02-2016-309

CONSENT AGREEMENT

COMES NOW the Iowa Board of Medicine (Board) and Ravi C. Ashwath, M.D. (Applicant) on AUGUST 11, 2016, and enter into this Consent Agreement for the issuance of a permanent Iowa medical license.

1. On May 6, 2016, Applicant submitted an application for a permanent Iowa medical license. As part of his application, Applicant disclosed disciplinary actions taken against his Georgia, Ohio and Florida medical licenses, all of which stemmed from a July 1999 patient care event.

2. Applicant is hereby granted Iowa medical license no. MD-43728 subject to the terms of this Consent Agreement.

3. **Georgia Disciplinary Action:** On February 23, 2005, Applicant entered into a Public Consent Order with the Georgia Composite State Board of Medical Examiners (Georgia Board). The Georgia Board concluded that Applicant failed to conform to the minimum standard of care when he failed to provide appropriate medical care to a child with an obstructed ventricular shunt in July 1999. Applicant agreed to

complete thirty (30) hours of continuing medical education in the area of pediatric neurology and pay a \$5,000 fine plus costs. See Attachment A. Applicant was subsequently disciplined in Ohio and Florida based on the Georgia disciplinary action and in Florida for failure to report the Georgia disciplinary action to the Florida Board as required by law.

4. **Discipline by Another Licensing Authority:** Pursuant to Iowa Code section 148.6(2)(d) having a license to practice medicine and surgery or osteopathic medicine and surgery revoked or suspended, or having other disciplinary action taken by a licensing authority of another state, territory, or country is grounds for discipline under Iowa law. A certified copy of the order of disciplinary action is prima facie evidence.

CONSENT AGREEMENT

5. **CITATION AND WARNING:** Applicant is hereby **CITED** for being disciplined by the Georgia Board on February 23, 2005, for failing to conform to the minimum standard of care when he failed to provide appropriate medical care to a child with an obstructed ventricular shunt in July 1999. Applicant is hereby **WARNED** that failure to conform to the minimum standard of care and/or violation of the laws and rules governing the practice of medicine in Iowa in the future may result in further disciplinary action against his Iowa medical license.

6. Applicant voluntarily submits this Order to the Board for consideration.

7. Applicant agrees that the State's counsel may present this Order to the Board for consideration.

8. By entering into this Order, Applicant understands that he has the right to legal counsel in this matter, voluntarily waives any rights to a contested case hearing, and waives any objections to the terms of this Order.

9. Applicant shall obey all federal, state and local laws, and all rules governing the practice of medicine in Iowa.

10. Applicant understands that the Board is required by Federal law to report this action to the National Practitioner Data Bank.

11. This Order becomes a public record available for inspection and copying upon execution in accordance with Iowa Code Chapters 17A, 22 and 272C.

12. This Order is subject to approval of the Board. If the Board fails to approve this Order it shall be of no force or effect to either party.

13. The Board's approval of this Order shall constitute a **Final Order** of the Board.



Aug 4th 2016

Ravi C. Ashwath, M.D., Applicant

Subscribed and sworn to before me on Aug. 4th, 2016.

Notary Public, State of Ohio.



Amy S. Modic
Notary Public, State of Ohio
My Commission Expires 12/6/2020

This Order is approved by the Board on August 11, 2016.

Diane L. Clark

Diane L. Clark, R.N., M.A., Chair
Iowa Board of Medicine
400 SW 8th Street, Suite C
Des Moines, Iowa 50309-4686

BEFORE THE COMPOSITE STATE BOARD OF MEDICAL EXAMINERS

STATE OF GEORGIA

Composite State Board
of Medical Examiners

IN THE MATTER OF:

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FEB 23 2005

RAVI ASHWATH, M.D.

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DOCKET NUMBER

License # 45707
Respondent.

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DOCKET NO.

*

2005 0113

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PUBLIC CONSENT ORDER

By agreement of the Composite State Board of Medical Examiners and Ravi Ashwath, M.D., Respondent, the following disposition of this matter is entered into pursuant to the provisions of O.C.G.A. § 50-13-13 (a) (4), as amended.

OHIO STATE MEDICAL BOARD

FINDINGS OF FACT

MAR 21 2005

1.

At all relevant times, Respondent was licensed to practice medicine in the State of Georgia.

2.

On or about July 12, 1999, patient C.F., a ten year old with spina bifida and a ventricular shunt, presented to Highpoint Medical Center with complaints of pain in the back of the neck for four days. The medical records indicate that Respondent was the treating physician and that he examined patient C.F. The medical records indicate that Respondent considered possible shunt malfunction and examined the shunt by using compression and found no block. The records also reflect that the Respondent checked the patient's pupils and the flexibility of the patient's neck and concluded with a diagnosis of neck sprain. The medical records indicate that

Respondent did not order or perform any radiological studies to evaluate the patient's shunt. The medical records show that Respondent sent the patient home with instructions to follow up with either Respondent or go to the emergency room if headache, vomiting or fever occurred. The medical records further show that the patient presented to the emergency room at Children's Healthcare at Egleston Hospital in the evening of July 12, 1999 and died on July 13, 1999 due to shunt obstruction.

OHIO STATE MEDICAL BOARD

MAR 21 2005

3.

A Board appointed peer reviewer has evaluated the treatment of patient C.F. and concluded that the treatment of patient C.F. departed from and failed to conform to the minimum standard of acceptable and prevailing medical practice in the following ways:

When a patient with a history of spina bifida and a ventricular shunt presents with complaints of multiple days of headaches and neck pain, the minimum standard of care would require a more extensive examination, including a fundoscopy to determine elevated intracranial pressure and a thorough neurologic examination. The physical exam should not include pumping or depressing because it does not assess ventricular shunt function. In light of the duration of the patient's complaints, the minimum standard would also require that the treating physician refer the patient immediately to a proper facility to obtain plain films and head CT to assess the physical continuity of the shunt.

CONCLUSIONS OF LAW

Respondent's condition and/or prior conduct constitute sufficient grounds for the imposition of sanctions upon Respondent's license to practice medicine in the State of Georgia under O.C.G.A. Chs. 1 and 34 T. 43, as amended. Respondent hereby waives any further conclusions of law with respect to the above-styled matter.

ORDER

The Composite State Board of Medical Examiners, having considered the particular facts and circumstances of this case, hereby orders, and Respondent hereby agrees to the following:

1.

Respondent shall obtain thirty (30) hours of continuing medical education ("CME") in the area of pediatric neurology in addition to the CME required of all Georgia physicians. Respondent shall complete said additional thirty hours within two years from the docketing of this order. Prior to obtaining the CME, Respondent shall submit the title of the course(s) he plans to attend and information concerning the course(s) to the Board. Within two years from the docketing of this consent order, Respondent shall submit proof of completion of said additional thirty hours to the Board.

OHIO STATE MEDICAL BOARD

2.

MAR 21 2005

This Consent Order and dissemination thereof shall serve as a public reprimand to the Respondent for Respondent's conduct.

3.

In addition to and in conjunction with any other sanction contained herein, Respondent shall pay a fine to the Board in the amount of \$5000.00, payable by certified check or money order to the Composite State Board of Medical Examiners within thirty (30) days of the effective date of this Order. Failure to pay the entire amount by the 30th day shall be considered a violation of this Order and shall result in further sanctioning of Respondent's license, including revocation, upon substantiation thereof.

4.

In addition to the fine required in paragraph 3 of this Consent Order, Respondent shall pay administrative fees in the amount of \$250.00 as reimbursement to the Board of expenses incurred in the investigation of this matter, which expenses do not include time spent by the investigative division of the Board. Said fees shall be payable by certified check or money

order to the Composite State Board of Medical Examiners within thirty (30) days of the effective date of this Order. Failure to pay the entire amount by the 30th day shall be considered a violation of this Order and shall result in further sanctioning of Respondent's license, including revocation, upon substantiation.

5.

Respondent understands that pursuant to O.C.G.A. Title 43, Chapter 34A, the contents of this order shall be placed on Respondent's Physician Profile. Furthermore, by executing this Consent Order, Respondent hereby agrees to permit the Board to update the Physician's Profile reflecting this Consent Order.

6.

Respondent acknowledges that Respondent has read this Consent Order and understands its contents. Respondent understands that he has the right to a hearing in this matter, and freely, knowingly and voluntarily waives such right by entering into this Consent Order. **Respondent understands that this Consent Order will not become effective until approved and docketed by the Composite State Board of Medical Examiners.** Respondent further understands and agrees that a representative of the Department of Law may be present during presentation of this Consent Order to the Board and that the Board shall have the authority to review the investigative file and all relevant evidence in considering this Consent Order. Respondent further understands that this Consent Order, once approved, shall constitute a public record that may be disseminated as a disciplinary action of the Board. However, if the Consent Order is not approved, it shall not constitute an admission against interest in this proceeding, or prejudice the right of the Board to adjudicate this matter. Respondent consents to the terms and conditions contained herein.

OHIO STATE MEDICAL BOARD

MAR 21 2005

Approved, this 23rd day of February, 2005.

COMPOSITE STATE BOARD OF
MEDICAL EXAMINERS

(BOARD SEAL)

BY: *Roland S. Summers MD*
ROLAND S. SUMMERS, M.D.
President

ATTEST: *Lasharn Hughes*
LASHARN HUGHES
Executive Director

CONSENTED TO: *Ravi Ashwath*

RAVI ASHWATH, M.D.
Respondent

Sworn to and Subscribed
Before me this 31 day
of January, 2005.

Phyllis Crewe
NOTARY PUBLIC
My Commission Expires:

8-5-07

OHIO STATE MEDICAL BOARD

MAR 21 2005