

**BEFORE THE IOWA BOARD OF MEDICINE**

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**IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST**

**PADMAVATHI V. PAGADALA, M.D., RESPONDENT**

**File No. 02-07-234**

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**DISMISSAL ORDER**

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Date: June 12, 2008.

1. On or about March 21, 2007, Respondent submitted an electronic renewal application to the Board, indicating she had completed forty credit hours of Category I CME between March 1, 2005 and March 1, 2007.

2. During an audit conducted by the Iowa Board of Medicine (Board), Respondent only verified completion of nine credit hours of Category I CME between March 1, 2005 and March 1, 2007.

3. The Board filed a Statement of Charges against Respondent on December 12, 2007, alleging Respondent knowingly submitted a false report of CME and failed to complete forty credit hours of Category I CME between March 1, 2005 and March 1, 2007.

4. On January 18, 2008, Respondent provided documentation verifying that, in fact, she had completed more than the required forty (40) credit hours of Category I CME between March 1, 2005 and March 1, 2007.

5. The Board subsequently determined that Respondent did not knowingly submit a false report of CME and she did complete forty (40) credit hours of Category I CME between March 1, 2005 and March 1, 2007. However, Respondent failed to submit the required reports of CME in a timely manner in response to the Board's CME audit and to respond to or comply with the Board's investigation.

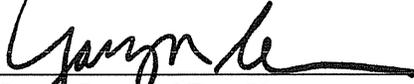
6. As a result, on March 24, 2008, the Board filed amended charges against Respondent alleging Respondent failed to respond or comply with a Board investigation, and noting that on January 18, 2008, Respondent provided the Board with documentation verifying that, in fact, she had completed more than the required forty (40) credit hours of Category I CME between March 1, 2005 and March 1, 2007.

7. Following the completion of discovery in this case, the State determined that Respondent did not intentionally fail to respond or comply with a Board investigation.

8. Based on the foregoing, on May 19, 2008, the State of Iowa filed a Motion to Dismiss the Statement of Charges. After completing discovery, the State concluded that there is insufficient evidence to pursue formal disciplinary action against Respondent in this matter.

9. On June 12, 2008, the Board voted to **DISMISS** the formal disciplinary charges against Respondent in this matter.

**THEREFORE IT IS ORDERED:** that the Board hereby **DISMISSES** the Statement of Charges filed against Respondent in this matter.

  
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Yash Lee, M.D., Chairperson  
Iowa Board of Medicine  
400 SW 8<sup>th</sup> Street, Suite C  
Des Moines, Iowa 50309-4686

June 12, 2008

Date

BEFORE THE IOWA BOARD OF MEDICINE

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IN THE MATTER OF THE ) DIA NO. 07DPHMB023  
STATEMENT OF CHARGES AGAINST: ) CASE NO. 02-07-234  
 ) 03-25-08P02:38 RCVD  
PADMAVATHI V. PAGADALA, M.D. ) ORDER GRANTING MOTION TO  
 ) AMEND STATEMENT OF CHARGES  
Respondent ) [CORRECTED]

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The above-captioned disciplinary matter has recently been rescheduled for March 26, 2008. On or about March 7, 2008, the state of Iowa filed a Motion For Leave To Amend Statement of Charges. The motion proposes an amendment to Count I to remove the allegation that Respondent "knowingly" submitted a false report of continuing medical education and to amend Count I to read as follows:

10. Respondent is charged pursuant to Iowa Code section 272C.8 and 653 IAC 231.(20) with failure to submit the required reports of continuing medical education ("CME").

In addition, the motion proposes adding the following additional Count II:

11. Respondent is charged pursuant to Iowa Code section 147.55(8), 272C.10(8) and 653 IAC 23.1(35) with failure to respond to or comply with a Board investigation.

Respondent Padmavathi Pagadala, M.D. has not filed a resistance to the motion, and it has been referred to the undersigned administrative law judge for ruling. It is in the interests of justice to allow the amendment. IT IS THEREFORE ORDERED that the state's Motion For Leave To Amend Statement of Charges is hereby GRANTED.

Dated this 24<sup>th</sup> day of March, 2008.



Margaret LaMarche  
Administrative Law Judge  
Iowa Department of Inspections and Appeals  
Administrative Hearings Division  
Wallace State Office Building-Third Floor  
Des Moines, Iowa 50319

cc: Heather Palmer  
Assistant Attorney General  
Hoover State Office Building  
Des Moines, Iowa 50319 (LOCAL)

J.R. "Lynn" Boes  
Davis, Brown, Koehn, Shors, & Roberts, P.C.  
4201 Westown Parkway, Suite 300  
West Des Moines, IA 50266

Kent Nebel  
Director of Legal Affairs  
Iowa Board of Medical Examiners  
400 SW 8<sup>th</sup> St., Suite C  
Des Moines, Iowa (LOCAL)

BEFORE THE IOWA BOARD OF MEDICINE

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IN THE MATTER OF THE STATEMENT ) No. 02-07-234  
OF CHARGES AGAINST )  
 ) **AMENDED CHARGES**  
PADMAVATHI V. PAGADLA, M.D., )

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COMES NOW the Iowa Board of Medicine ("Board") on March 19, 2008, and files this Amended Statement of Charges pursuant to Iowa Code section 17A.12(2)(2007). Respondent was issued Iowa medical license no. 35600 on May 10, 2004. Respondent's Iowa medical license is active and will net expire on March 1, 2009.

**A. TIME, PLACE AND NATURE OF HEARING**

1. Hearing. A disciplinary case hearing shall be held on February 27, 2008, before the Board. The hearing shall begin at 8:30 a.m. and shall be located in the conference room at the Board office at 400 SW 8<sup>th</sup> Street, Suite C, Des Moines, Iowa.
2. Answer. Within twenty (20) days of the date you are served this Statement of Charges, you are required by 653 IAC 24.2(5)(d) to file an Answer. In that Answer, you should state whether you will require a continuance of the date and time of the hearing.
3. Presiding Officer. The Board shall serve as presiding officer, but the Board may request an Administrative Law Judge make initial rulings on prehearing matters, and be present to assist and advise the board at hearing.
4. Hearing Procedures. The procedural rules governing the conduct of the hearing are found at 653 IAC 25. At hearing, you will be allowed the opportunity to respond to the charges against you, to produce evidence on your behalf, cross-examine witnesses, and examine any documents introduced at hearing. You ay appear personally or be represented by counsel at your own expense. If you need to request an alternative time or date for hearing, you must

review the requirements in 653 IAC 25.16. The hearing may be open to the public or closed to the public at the discretion of the Respondent.

5. Prosecution. The office of the Attorney General is responsible for representing the public interest (“the State”) in this proceeding. Pleadings shall be filed with the board and copies should be provided to counsel for the State at the following address: Heather L. Palmer, Assistant Attorney General, Iowa Attorney General’s Office, 2<sup>nd</sup> Floor, Hoover State Office Building, Des Moines, Iowa 50319.

6. Communications. You may not contact board members by phone, letter, facsimile, e-mail or in person about this Notice of Hearing. Board members may only receive information about the case when all parties have notice and an opportunity to participate, such as at the hearing or in pleadings you file with the Board office and serve upon all parties in the case. You should direct any questions to Kent M. Nebel, J.D., the Board’s Legal Director at 515-281-7088 or Assistant Attorney General Heather L. Palmer at 515-281-7262.

#### **B. LEGAL AUTHORITY AND JURISDICTION**

7. Jurisdiction. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 17A, 147, 148 and 272C (2007).

8. Legal Authority. If any of the allegations against you are founded, the Board has authority to take disciplinary action against you under Iowa Code chapters 17A, 147, 138 and 272C and 653 IAC 25.

9. Default. If you fail to appear at the hearing, the board may enter a default decision or proceed with the hearing and render a decision in your absence, in accordance with Iowa Code section 17A.12(3) and 653 IAC 25.20.

**C. SECTIONS OF STATUTES AND RULES INVOLVED**

**COUNT I**

10. Respondent is charged pursuant to Iowa Code section 147.55(8), 272C.10(8) and 653 IAC 23.1(20) with failure to submit the required reports of continuing medical education ("CME").

**COUNT II**

11. Respondent is charged pursuant to Iowa Code section 147.55(8), 272C.10(8) and 653 IAC 23.1(35) with failure to respond to or comply with a Board investigation.

**STATEMENT OF THE MATTERS ASSERTED**

12. Respondent is an Iowa-licensed physician who practices obstetrics and gynecology in Moline, Illinois.

13. On March 21, 2007, Respondent submitted an electronic renewal application to the Board. Respondent indicated that she completed forty (40) credit hours of Category I CME between March 1, 2005 and March 1, 2007. The Board initiated a random audit of Respondent's CME and Respondent failed to provide verification of completion of the required forty (40) credit hours of Category I CME between March 1, 2005 and March 1, 2007.

14. On December 12, 2007, the Board filed disciplinary charges against Respondent alleging that she knowingly submitted a false report of CME and she failed to complete forty (40) credit hours of Category I CME between March 1, 2005 and March 1, 2007.

15. On January 18, 2008, Respondent provided documentation verifying that, in fact, she had completed more than the required forty (40) credit hours of Category I CME between March 1, 2005 and March 1, 2007.

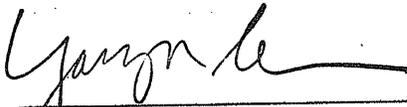
16. The Board subsequently determined that Respondent did not knowingly submit a false report of CME and she did complete forty (40) credit hours of Category I CME between March 1, 2005 and March 1, 2007. However, Respondent failed to submit the required reports of CME in a timely manner in response to the Board's CME audit and investigation.

**E. SETTLEMENT**

16. Settlement. This matter may be resolved by settlement agreement. The procedural rules governing the Board's settlement process are found at 653 IAC 25. If you are interested in pursuing settlement of this matter, please contact Kent M. Nebel, J.D., Legal Director at 515-281-7088.

**F. PROBABLE CAUSE FINDING**

17. On the <sup>19<sup>th</sup></sup> ~~12<sup>th</sup>~~ day of <sup>March, 2008</sup> ~~December, 2007~~, the Iowa Board of Medicine found probable cause to file this Statement of Charges.



Yasyn Lee, M.D. Chairperson  
Iowa Board of Medicine  
400 S.W. 8<sup>th</sup> Street, Suite C  
Des Moines, IA 50309-4686

BEFORE THE IOWA BOARD OF MEDICINE

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IN THE MATTER OF THE ) DIA NO. 07DPHMB023  
STATEMENT OF CHARGES AGAINST: ) CASE NO. 02-07-234  
)  
PADMAVATHI V. PAGADLA, M.D. ) ORDER GRANTING MOTION TO  
) AMEND STATEMENT OF CHARGES  
Respondent

---

03-20-08P01:42 RCVD

The above-captioned disciplinary matter has recently been rescheduled for March 26, 2008. On or about March 7, 2008, the state of Iowa filed a Motion For Leave To Amend Statement of Charges. The motion proposes an amendment to Count I to remove the allegation that Respondent "knowingly" submitted a false report of continuing medical education and to amend Count I to read as follows:

10. Respondent is charged pursuant to Iowa Code section 272C.8 and 653 IAC 231.(20) with failure to submit the required reports of continuing medical education ("CME").

In addition, the motion proposes adding the following additional Count II:

11. Respondent is charged pursuant to Iowa Code section 147.55(8), 272C.10(8) and 653 IAC 23.1(35) with failure to respond to or comply with a Board investigation.

Respondent Padmavathi Pagadla, M.D. has not filed a resistance to the motion, and it has been referred to the undersigned administrative law judge for ruling. It is in the interests of justice to allow the amendment. IT IS THEREFORE ORDERED that the state's Motion For Leave To Amend Statement of Charges is hereby GRANTED.

Dated this 19th day of March, 2008.



Margaret LaMarche  
Administrative Law Judge  
Iowa Department of Inspections and Appeals  
Administrative Hearings Division  
Wallace State Office Building-Third Floor  
Des Moines, Iowa 50319

cc: Heather Palmer  
Assistant Attorney General  
Hoover State Office Building  
Des Moines, Iowa 50319 (LOCAL)

J.R. "Lynn" Boes  
Davis Brown Law Firm  
666 Walnut St., Ste. 2500  
Des Moines, IA 50309 (CERTIFIED)

Kent Nebel  
Director of Legal Affairs  
Iowa Board of Medical Examiners  
400 SW 8<sup>th</sup> St., Suite C  
Des Moines, Iowa (LOCAL)

**BEFORE THE IOWA BOARD OF MEDICINE**

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**IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST**

**PADMAVATHI V. PAGADALA, M.D., RESPONDENT**

**FILE NO. 02-07-234**

\*\*\*\*\*

**STATEMENT OF CHARGES**

\*\*\*\*\*

**COMES NOW** the Iowa Board of Medicine (Board) on December 12, 2007, and files this Statement of Charges pursuant to Iowa Code section 17A.12(2)(2007). Respondent was issued Iowa medical license no. 35600 on May 10, 2004. Respondent's Iowa medical license is active and will next expire on March 1, 2009.

**A. TIME, PLACE AND NATURE OF HEARING**

1. Hearing. A disciplinary contested case hearing shall be held on February 27, 2008, before the Iowa Board of Medicine. The hearing shall begin at 8:30 a.m. and shall be located in the conference room at the Iowa Board of Medicine office at 400 SW 8<sup>th</sup> Street, Suite C, Des Moines, Iowa.

2. Answer. Within twenty (20) days of the date you are served this Statement of Charges you are required by 653 IAC 24.2(5)(d) to file an Answer. In that Answer, you should state whether you will require a continuance of the date and time of the hearing.

3. Presiding Officer. The Board shall serve as presiding officer, but the Board may request an Administrative Law Judge make initial rulings on prehearing matters, and be present to assist and advise the board at hearing.

4. Hearing Procedures. The procedural rules governing the conduct of the hearing are found at 653 IAC 25. At hearing, you will be allowed the opportunity to respond to the charges against you, to produce evidence on your behalf, cross-examine witnesses, and examine any documents introduced at hearing. You may appear personally or be represented by counsel at your own expense. If you need to request an alternative time or date for hearing, you must review the requirements in 653 IAC 25.16. The hearing may be open to the public or closed to the public at the discretion of the Respondent.

5. Prosecution. The office of the Attorney General is responsible for representing the public interest (the State) in this proceeding. Pleadings shall be filed with the Board and copies should be provided to counsel for the State at the following address: Theresa O'Connell Weeg, Assistant Attorney General, Iowa Attorney General's Office, 2<sup>nd</sup> Floor, Hoover State Office Building, Des Moines, Iowa 50319.

6. Communications. You may not contact board members by phone, letter, facsimile, e-mail, or in person about this Notice of Hearing. Board members may only receive information about the case when all parties have notice and an opportunity to participate, such as at the hearing or in pleadings you file with the Board office and serve upon all parties in the case. You should direct any questions to Kent M. Nebel, J.D., the Board's Legal Director at 515-281-7088 or to Assistant Attorney General Theresa O'Connell Weeg at 515-281-6858.

## **B. LEGAL AUTHORITY AND JURISDICTION**

7. Jurisdiction. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 17A, 147, 148, and 272C (2007).

8. Legal Authority: If any of the allegations against you are founded, the Board has authority to take disciplinary action against you under Iowa Code chapters 17A, 147, 148, and 272C (2007) and 653 IAC 25.

9. Default. If you fail to appear at the hearing, the Board may enter a default decision or proceed with the hearing and render a decision in your absence, in accordance with Iowa Code section 17A.12(3) and 653 IAC 25.20.

## **C. SECTIONS OF STATUTES AND RULES INVOLVED**

### **COUNT I**

10. Respondent is charged pursuant to Iowa Code sections 148.6(i) and 272C.10(8) and 653 IAC 23.1(20) with knowingly submitting a false report of continuing medical education (CME) and failing to complete forty (40) credit hours of Category I CME between March 1, 2005 and March 1, 2007, in violation of Iowa law.

### **STATEMENT OF THE MATTERS ASSERTED**

11. Respondent is an Iowa-licensed physician who practices obstetrics and gynecology in Moline, Illinois.

12. On March 21, 2007, Respondent submitted an electronic renewal application to the Board. Respondent indicated that she completed forty (40) credit hours of Category I CME between March 1, 2005, and March 1, 2007. During a CME audit conducted by the Board,

Respondent was only able to verify completion of nine (9) credit hours of Category I CME during the period in question.

13. The Board alleges that Respondent knowingly submitted a false report of continuing medical education (CME) and failed to complete forty (40) credit hours of Category I CME between March 1, 2005 and March 1, 2007, in violation of Iowa law.

#### **E. SETTLEMENT**

14. Settlement. This matter may be resolved by settlement agreement. The procedural rules governing the Board's settlement process are found at 653 IACode 25. If you are interested in pursuing settlement of this matter, please contact Kent M. Nebel, J.D., Legal Director at 515-281-7088.

#### **F. PROBABLE CAUSE FINDING**

15. On this 12<sup>th</sup> day of December 2007, the Iowa Board of Medicine found probable cause to file this Statement of Charges.



Yashin Lee, M.D., Chairperson  
Iowa Board of Medicine  
400 SW 8<sup>th</sup> Street, Suite C  
Des Moines, Iowa 50309-4686