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STATE OF WISCONSIN

BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :

PROCEEDINGS AGAINST:

RAO GONDI, M.D.,

FINAL DECISION AND ORDER

RESPONDENT

LS0011163MED

The parties to this proceeding for purposes of sec. 227.53, Stats. are:

Rao Gondi, M.D.

100 East Donges Ct

Milwaukee, Wi 53217

Wisconsin Medical Examining Board

1400 E. Washington Ave.

P.O. Box 8935

Madison, WI 53708-8935

Department of Regulation and Licensing

Division of Enforcement

1400 E. Washington Ave.

P.O. Box 8935

Madison, WI 53708-8935

The Wisconsin Medical Examining Board received a Stipulation submitted by the parties to the above-captioned matter. The Stipulation, a copy of which is attached hereto, was executed by Rao Gondi, M.D., personally, and by his attorney, Joseph M. Fasi II, and by Pamela M. Stach, attorney for the Department of Regulation and Licensing, Division of Enforcement. Based upon the Stipulation of the parties, the Wisconsin Medical Examining Board makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Rao Gondi, M.D., Respondent herein, of 1100 East Donges Ct., Milwaukee, Wi. 53217, whose date of birth is July 13, 1946, is licensed and currently registered to practice medicine and surgery in the State of Wisconsin under license #23565, which was granted on January 9, 1981.
2. Dr. Gondi specializes in the practice of anesthesiology.
3. An investigation is pending before the Wisconsin Medical Examining Board containing the following allegations:
 - a. On September 19, 1995, Dr. Gondi failed to properly extubate a 69-year-old female patient following completion of a laparoscopic cholecystectomy. The patient suffered a laryngospasm and required reintubation. The patient was later again extubated and again required reintubation due to formation of a mucus plug. The patient developed sudden cardiac arrhythmia and eventually cardiac arrest. The patient was resuscitated but

suffered anoxic brain damage and was placed on life support. The life support was disconnected several days later and the patient expired.

b. On June 12, 1999 Dr. Gondi, administered potassium in a bolus to a 67-year-old female patient undergoing a corrective coronary bypass surgery following an evolving myocardial infarction and emergency catheterization which revealed a complete occlusion of the LAD graft.

c. Dr. Gondi failed to make minimally competent medical entries in the hospital records for the two patients who are the subjects of 99 Med 244 and 99 Med 253.

4. Dr. Gondi disputes the allegations contained in paragraphs 3a and b above.

5. Dr. Gondi failed to make minimally competent medical entries in the hospital records of the two patients who are the subjects of 99 Med 244 and 99 Med 253.

6. Subsequent to the incidents set forth in paragraph 3 above, Dr. Gondi's practice and privileges at St. Michael's Hospital in Milwaukee, Wisconsin were reviewed by an independent anesthesiologist from Lutheran General Hospital in Parkridge, Illinois. As a result of that review, Dr. Gondi's hospital privileges were partially suspended pending completion of educational requirements and monitoring set forth in an improvement plan by an ad hoc peer review committee.

7. The review period has ended and Dr. Gondi's privileges have been completely restored after successful completion of the requirements for reinstatement.

8. Subsequent to the incidents set forth in paragraph 3 above, Dr. Gondi obtained approximately 250 hours of continuing medical education in the areas of general anesthesiology review and cardiothoracic anesthesiology.

9. Subsequent to the incidents set forth in paragraph 3 above, Dr. Gondi has been recertified by the American Board of Anesthesiologists on May 20, 2000 under certificate number 22075.

10. With the exception of the allegations involving Dr. Rao Gondi's record keeping practices, the Medical Examining Board recognizes the completion of the continuing medical education courses, the review of Dr. Gondi's anesthesiology practice and partial suspension of his privileges pending completion of the improvement plan, Dr. Gondi's successful completion of the plan, and Dr. Gondi's recertification by the American Board of Anesthesiologists as adequately addressing the additional concerns raised in the investigation entitled 99 Med 241 and 99 Med 253.

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction in this proceeding pursuant to sec. 448.02, Stats.
2. The Wisconsin Medical Examining Board has the authority to resolve this proceeding by stipulation without an evidentiary hearing pursuant to sec. 227.44(5), Stats.
3. Respondent's failure to make minimally competent medical entries in the records of the patients as set forth above constitutes a violation of Wis. Stats sec. 448.03.

ORDER

NOW, THEREFORE, IT IS ORDERED that the Stipulation of the parties is approved.

IT IS FURTHER ORDERED that the license of Dr. Rao Gondi, M.D. shall be limited on the following terms and conditions:

1. Rao Gondi, M.D. shall, within six months of the date of this order, participate in and satisfactorily complete a 10 hour independent study program addressing appropriate medical record keeping practices for anesthesiologists to be conducted through Bartz and Associates, L.L.C.
2. Rao Gondi, M.D. shall submit proof of successful completion of the course to the Medical Examining Board within 15 days of course completion.
3. Within six months of the successful completion of the record keeping course, the Medical Examining Board or its designee may conduct a random audit of medical entries made by Dr. Gondi in a minimum of ten patient records. Dr. Gondi shall cooperate in providing access to these records upon request.

4. All costs of the educational program and audit shall be the responsibility of Dr. Gondi.

IT IS FURTHER ORDERED that the course completed in compliance with this Order may not be credited toward compliance with the continuing medical education credits required for renewal of registration to practice medicine and surgery in Wisconsin.

IT IS FURTHER ORDERED that any documents required to be filed with the Wisconsin Medical Examining Board be filed with:

Department Monitor

Department of Regulation and Licensing

Division of Enforcement

P.O. Box 8935

1400 East Washington Ave.

Madison, WI 53708-8935

All documents required to be filed with the Wisconsin Medical Examining Board will be deemed filed with the Wisconsin Medical Examining Board upon receipt by the Department Monitor.

IT IS FURTHER ORDERED that pursuant to sec. 448.02(4), Stats., if the Wisconsin Medical Examining Board determines that there is probable cause to believe that Rao Gondi, M.D. has violated the terms of this Final Decision And Order of the Wisconsin Medical Examining Board, the Board may order that the license of Dr. Gondi to practice medicine and surgery in the state of Wisconsin be summarily suspended pending investigation of the alleged violation.

IT IS FURTHER ORDERED that investigative files 99 Med 241 and 99 Med 253 shall be closed.

The rights of a party aggrieved by this Final Decision And Order to petition the Wisconsin Medical Examining Board for rehearing and to petition for judicial review are set forth in the attached "Notice of Appeal Information."

Dated at Madison, Wisconsin, this 15th day of November, 2000.

WISCONSIN MEDICAL EXAMINING BOARD

Darold A. Treffert, M.D.

Secretary