

LICENSE NO. G-8735

IN THE MATTER OF
THE LICENSE OF
JHANSI M.RAJ, M.D.

BEFORE THE
TEXAS MEDICAL BOARD

AGREED ORDER

On the 29 day of August, 2008, came on to be heard before the Texas Medical Board (the "Board"), duly in session, the matter of the license of Jhansi M.Raj, M.D. ("Respondent").

On October 22, 2007, Respondent appeared in person, with counsel Jon Porter, at an Informal Show Compliance Proceeding and Settlement Conference in response to a letter of invitation from the staff of the Board. The Board's representatives were Jose Manuel Benavides, M.D., a member of the Board, and Sharon J. Barnes, a member of the District Review Committee. Harry Deckard represented Board staff.

Upon the recommendation of the Board's representatives and with the consent of Respondent, the Board makes the following Findings of Fact and Conclusions of Law and enters this Agreed Order.

FINDINGS OF FACT

The Board finds that:

1. Respondent received all notice required by law. All jurisdictional requirements have been satisfied. Respondent waives any defect in notice and any further right to notice or hearing under the Medical Practice Act, Title 3, Subtitle B, Texas Occupations Code (the "Act") or the Rules of the Board.
2. Respondent currently holds Texas Medical License No. G-8735. Respondent was originally issued this license to practice medicine in Texas on August 23, 1985. Respondent is not licensed to practice in any other state.

3. Respondent is primarily engaged in the practice of psychiatry. Respondent is board certified by the American Board of Psychiatry, a member of the American Board of Medical Specialties.

4. Respondent is 54 years of age.

5. Respondent has not previously received a disciplinary order from the Board.

6. Respondent treated MJ from March 3, 2005 through March 23, 2006. The patient was terminated for non-compliance with treatment. Prior to being seen by Respondent, MJ was treated by MHMR for various psychiatric issues. Respondent did not obtain MJ's patient records from MHMR, although she did speak to the last psychiatrist MJ saw. Respondent did not document this telephone discussion. Respondent testified at the ISC that MJ was not harmed in any way by the care rendered to him by her.

7. The Board found that Respondent did not maintain adequate medical records because she did not document a review MJ's prior medical record or alternatively document a discussion with MJ's prior treating physician.

8. Respondent disagrees that a physician is required to obtain prior treating medical records in all circumstances and believes that obtaining medical records is a decision for the professional to take on a case-by-case basis.

9. Respondent specifically denies Finding of Fact Paragraph No. 7 and Conclusions of Law Paragraph No. 2. Respondent agrees to enter into this Agreed Order solely to avoid further investigation, hearings, and the expense and inconvenience of litigation. Respondent has cooperated in the investigation of the allegations related to this Agreed Order. Respondent's cooperation, through consent to this Agreed Order, pursuant to the provisions of Section 164.002 of the Act, will save money and resources for the State of Texas. Respondent agrees to the entry of this Agreed Order and to comply with its terms and conditions.

CONCLUSIONS OF LAW

Based on the above Findings of Fact, the Board concludes that:

1. The Board has jurisdiction over the subject matter and Respondent pursuant to the Act.

2. Section 164.051(a)(3) of the Act authorizes the Board to take disciplinary action against Respondent based on Respondent's violation of Board Rule 165.1, which requires the maintenance of adequate medical records.

3. Section 164.001 of the Act authorizes the Board to impose a range of disciplinary actions against a person for violation of the Act or a Board rule. Such sanctions include: revocation, suspension, probation, public reprimand, limitation or restriction on practice, counseling or treatment, required educational or counseling programs, monitored practice, public service, and an administrative penalty.

4. Section 164.002(a) of the Act authorizes the Board to resolve and make a disposition of this matter through an Agreed Order.

5. Section 164.002(d) of the Act provides that this Agreed Order is a settlement agreement under the Texas Rules of Evidence for purposes of civil litigation.

ORDER

Based on the above Findings of Fact and Conclusions of Law, the Board ORDERS that Respondent shall be subject to the following terms and conditions:

1. Respondent shall pay an administrative penalty in the amount of \$500 within 30 days of the entry of this Order. The administrative penalty shall be paid in a single payment by cashier's check or money order payable to the Texas Medical Board and shall be submitted to the Director of Enforcement for the Board for routing so as to be remitted to the Comptroller of Texas for deposit in the general revenue fund. Respondent's failure to pay the administrative penalty as ordered shall constitute grounds for further disciplinary action by the Board, and may result in a referral by the Executive Director of the Board for collection by the Office of the Attorney General.

2. Respondent shall comply with all the provisions of the Act and other statutes regulating the Respondent's practice.

3. Respondent shall fully cooperate with the Board and the Board staff, including Board attorneys, investigators, compliance officers, consultants, and other employees or agents of the Board in any way involved in investigation, review, or monitoring associated with Respondent's compliance with this Order. Failure to fully cooperate shall constitute a violation of this order and a basis for disciplinary action against Respondent pursuant to the Act.

4. Respondent shall inform the Board in writing of any change of Respondent's mailing or practice address within 10 days of the address change. This information shall be submitted to the Permits Department and the Director of Enforcement for the Board. Failure to provide such information in a timely manner shall constitute a basis for disciplinary action by the Board against Respondent pursuant to the Act.

5. Any violation of the terms, conditions, or requirements of this Order by Respondent shall constitute unprofessional conduct likely to deceive or defraud the public, or to injure the public, and shall constitute a basis for disciplinary action by the Board against Respondent pursuant to the Act. Respondent agrees that 10 days notice of a Probationer Show Compliance Proceeding to address any allegation of non-compliance of this Agreed Order is adequate and reasonable notice prior to the initiation of formal disciplinary action. Respondent waives the 30-day notice requirement provided by §164.003(b)(2) of the Medical Practice Act and agrees to 10 days notice, as provided in 22 Texas Administrative Code §187.44(4).

6. Respondent shall be permitted to supervise and delegate prescriptive authority to physician assistants and advanced practice nurses and to supervise surgical assistants.

7. This Order shall automatically terminate upon the successful completion of the requirements in Order Paragraph No. 1.

RESPONDENT WAIVES ANY FURTHER HEARINGS OR APPEALS TO THE BOARD OR TO ANY COURT IN REGARD TO ALL TERMS AND CONDITIONS OF THIS AGREED ORDER. RESPONDENT AGREES THAT THIS IS A FINAL ORDER.

THIS ORDER IS A PUBLIC RECORD.

I, JHANSI M. RAJ, M.D., HAVE READ AND UNDERSTAND THE FOREGOING AGREED ORDER. I UNDERSTAND THAT BY SIGNING, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY. I UNDERSTAND THIS AGREED ORDER CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN OR OTHERWISE.

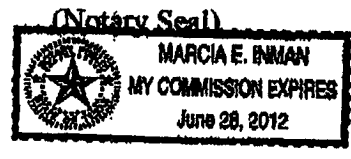
DATED: 26th of Aug, 2008.

Jhansi M Raj
JHANSI M. RAJ, M.D.
Respondent

STATE OF TX §
COUNTY OF TARRANT §
§

SWORN TO AND ACKNOWLEDGED BEFORE ME, the undersigned Notary Public, on this 26th day of August, 2008.

Marcia E. Inman
Signature of Notary Public



SIGNED AND ENTERED by the presiding officer of the Texas Medical Board on this 29 day of August, 2008.

Roberta M. Kalafut
Roberta M. Kalafut, D.O., President
Texas Medical Board