

**BEFORE THE VIRGINIA BOARD OF MEDICINE**

**IN RE:       JOSEPH PARIMAL GURRALA, M.D.**  
**License Number:   0101-242248**  
**Reg. for CBD/THC-A Oil: 0241-000237**  
**Case Number:       189293, 193328**

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**ORDER**

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**JURISDICTION AND PROCEDURAL HISTORY**

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), a Special Conference Committee of the Virginia Board of Medicine (“Board”) held an informal conference on January 23, 2020, in Henrico County, Virginia, to inquire into evidence that Joseph Parimal Gurralla, M.D., may have violated certain laws and regulations governing the practice of medicine in the Commonwealth of Virginia.

Joseph Parimal Gurralla, M.D., appeared at this proceeding and was represented by Edward A. Gonsalves, Esquire.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law and issues the Order contained herein.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

1. Joseph Parimal Gurralla, M.D., was issued License Number 0101-242248 to practice medicine and surgery on July 25, 2007, which is scheduled to expire on June 30, 2020.
2. Dr. Gurralla violated Virginia Code § 54.1-2915(A)(3), (13), and (18), and 18 VAC 85-20-25(B) and (C), and 18 VAC 85-20-90(A) and (B) of the Regulations Governing the Practice of Medicine (“Regulations”), in the care and treatment of Patient A between 2016 and 2018. Specifically:

a. Dr. Gurralla stated to the Board's investigator that he saw Patient A, whom he had been dating for several months, at his practice on October 17, 2016, for the purpose of weight loss. That day, he prescribed #30 phentermine (C-IV) 37.5mg to Patient A without documenting a physical examination, recommending a diet plan or exercise program, or documenting the prescription in the patient's chart. (The patient's chart contains a diet plan, but it is dated March 8, 2018, more than 16 months after Dr. Gurralla first prescribed weight-loss medication to Patient A.)

b. By his own admission, Dr. Gurralla did not see Patient A for an office visit again for more than five months, until approximately March 25, 2017. He did not see the patient for an office visit within the first 30 days of initiation of pharmacotherapy for weight loss, nor did he review the results of an electrocardiogram performed and interpreted within 90 days of initial prescribing for treatment of obesity, as required by the Board's Regulations.

c. On or about March 25, 2017, Dr. Gurralla prescribed #30 diethylpropion (C-IV) 75mg, plus two refills, to Patient A for weight loss. Dr. Gurralla did not document conducting an office visit or physical examination, nor did he record the prescription in Patient A's chart.

d. In or about April 2017, Dr. Gurralla and Patient A were married. After this date, as detailed below, Dr. Gurralla continued to treat and prescribe medication to Patient A. However, he failed to document office visits or examinations, and the medications were not prescribed in an emergency situation or isolated setting where there was no other qualified practitioner available to the patient. Specifically:

- On or about January 2, 2018, Dr. Gurralla prescribed #60 Adderall (C-II) 20mg to Patient A for weight loss, although the medication is not indicated for this condition. Dr. Gurralla did not record this prescription in Patient A's chart
- On or about January 28, 2018, Dr. Gurralla prescribed #60 Adderall 30mg to Patient A (to be taken BID) after she purportedly claimed to have lost 40 dosage units of the prior prescription and told him that the prior dosage (40mg/day) was not high enough. Dr. Gurralla did not record this prescription in Patient A's chart.



- On or about April 7, 2018, Dr. Gurralla prescribed #15 Xanax 0.5mg to Patient A without recording the prescription in her chart. Dr. Gurralla stated to the Board's investigator that he prescribed the medication in response to the patient's report of experiencing side effects from the Adderall he previously prescribed to her.

e. Dr. Gurralla provided the Board's investigator with the patient's body mass index for the dates he had prescribed medication to her, but her chart did not contain any such information. Dr. Gurralla further reported to the Board's investigator that during Patient A's care he "had some follow-up labs done later on in the treatment," but there is no copy of labs ordered by him in her chart. Dr. Gurralla also reported to the Board's investigator that he discharged Patient A as a patient "once she reached her goal weight" in April 2018; however, no such discharge was documented.

3. At the informal conference, Dr. Gurralla acknowledged his failure to adequately chart care provided to Patient A and his lapse in judgment in prescribing to Patient A, with whom he was in a relationship and who eventually became his wife. He stated that he takes responsibility for not appropriately documenting his prescribing to a family member, but he denied any issues with his competency. He stated that he kept a chart for Patient A, but admitted that he did not document each step taken or contemporaneously update the chart for each encounter.

4. Dr. Gurralla told the Committee that his weight-loss practice follows a protocol that requires certain labs and an EKG for new patients, but he acknowledged the protocol was not followed for Patient A because of his personal relationship with her. He stated that at a typical first visit a new patient fills out a history form relating to the weight-loss techniques they have tried, their nutrition history, and family history, then tests (such as a metabolic breathing test and EKG), labs, and bloodwork (e.g., CBC) are ordered and completed through the practice's in-house lab.

5. Dr. Gurralla explained to the Committee that it is his practice to maintain complete records for all of his patients, and he attributed his lapses in this regard to being in a dual relationship with Patient A. Dr. Gurralla explained that he is no longer married to Patient A or prescribing medication to her.

6. Dr. Gurralla violated Virginia Code § 54.1-2915(A)(3) and (18) and 18 VAC 85-20-25(A) and (C) of the Regulations in that, in or about the summer of 2017, he prescribed antibiotics to Individual B, a family member and minor, for a presumed ear infection. Dr. Gurralla did not have a bona fide practitioner/patient relationship with Individual B, and by his own admission he did not document this encounter or the prescription.

7. Dr. Gurralla violated Virginia Code § 54.1-2915(A)(16) and (18), as further defined by § 54.1-111(7), and 18 VAC 85-20-105 of the Regulations, in that on or about February 12-13, 2019, he willfully refused to submit to a random urine test, as requested by the Board's investigator during the course of an investigation.

8. Dr. Gurralla admitted to the Committee that he should have complied with the investigator's February 2019 request, but he explained this instance was the third time within a short period that he had been asked by a Department of Health Professions investigator for a urine drug screen based on repeated anonymous complaints that he believed were filed by his disgruntled ex-wife. Dr. Gurralla stated that both of his prior drug screens produced for a different DHP investigator had returned negative results. Dr. Gurralla stated he felt like his ex-wife was using the DHP complaint process to unfairly harass him, and so he refused when an investigator appeared with a third request within a relatively short time period.

9. The Committee noted that the evidence showed a pattern of erratic and unstable behavior by Dr. Gurralla over the past several years, as follows:

- On or about June 11, 2017, Dr. Gurralla was charged with driving under the influence, first offense, in Fairfax County, Virginia, a misdemeanor in violation of Virginia Code § 18.2-266. On or about March 12, 2018, Dr. Gurralla pleaded guilty and was sentenced to 30 days' incarceration with 30 days suspended, 12 months of unsupervised probation, a restricted driver's license, participation in the Virginia Alcohol Safety Action Program ("VASAP"), placement of an ignition interlock device on his motor vehicle (requiring the driver to provide periodic breath samples to operate the vehicle), and a fine and court costs.
- In the late evening on or about April 5, 2018, police were called to Dr. Gurralla's home because he and his wife, Patient A, were fighting after consuming alcohol. Emergency protective orders were filed requiring both parties to stay away from each other, and police instructed Dr. Gurralla to leave the home.
- On April 12, 2018, Patient A informed the CPS caseworker that on or about April 9<sup>th</sup>, at her invitation Dr. Gurralla had come to their home (in violation of the protective order), and they began drinking alcohol and arguing. Patient A called the police, but Dr. Gurralla left the home before police arrived. On April 10<sup>th</sup>, Dr. Gurralla returned to the home and was arrested for violating the protective order.
- On or about July 5, 2018, Dr. Gurralla was charged with having operated a motor vehicle on July 3, 2018, while his driver's license was under suspension, a misdemeanor in violation of Virginia Code § 46.2-301(B). Dr. Gurralla pleaded no contest to this charge and was found guilty on August 9, 2018. His sentence included a fine and court costs.
- On or about September 21, 2018, Dr. Gurralla was charged with having failed to comply with VASAP on July 18, 2018, a misdemeanor in violation of Virginia Code § 18.2-271.1. Dr. Gurralla pleaded no contest to this charge and was found guilty on October 4, 2018. His sentence included revocation of the probation from the DUI conviction and court costs. The same day, Dr. Gurralla appealed this matter to Fairfax County Circuit Court.
- On or about September 28, 2018, Dr. Gurralla was charged with having operated a motor vehicle on August 30, 2018, while his driver's license was under suspension, a misdemeanor in violation of Virginia Code § 18.2-272. On December 20, 2019, he was found guilty and sentenced to 60 days' incarceration with 60 days suspended, a fine, and court costs.
- On or about November 25, 2018, Patient A filed a domestic violence complaint with police stating that Dr. Gurralla had thrown a cup at her and had thrown her to the ground, injuring her. An emergency protective order was issued for Dr. Gurralla to stay away from his wife.

10. At the informal conference, Dr. Gurralla denied having a substance abuse problem. While discussing his 2017 first-offense DUI, Dr. Gurralla stated he drinks socially on weekends, and never while working. He noted several of the complaints filed with the Board that related to alleged substance-abuse were submitted by an anonymous source, who he believes to be his disgruntled ex-wife, while they were in the midst of an acrimonious divorce and custody battle.

11. Dr. Gurralla acknowledged to the Committee that being involved in dual relationships has been a factor in these negative reports, and he stated he will not become involved in dual relationships in the future.

12. Dr. Gurralla submitted documentation of having completed two continuing education credits in PBI Complete Professional, Navigating Professional Boundaries in Medicine on August 28, 2018.

13. Dr. Gurralla told the Committee that one of his saving graces over the past few years has been his work. He acknowledged his personal relationships caused turmoil in his personal life that has impacted him professionally because his ex-wives have attempted to harm him by filing complaints to the Board; however, he noted that he has not had any complaints regarding his patient care, and he has remained committed to his practice and providing good care to his patients.

14. Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Dr. Gurralla's health records or health services.

### **ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Medicine hereby ORDERS as follows:

1. Joseph Parimal Gurralla, M.D., is REPRIMANDED.

2. Dr. Gurralla is assessed a MONETARY PENALTY of \$1,500.00. This penalty shall be paid to the Board by certified check or money order made payable to the Treasurer of Virginia within 45 days from the date of entry of this Order. Failure to pay the full monetary penalty by the due date may cause the matter to be sent for collection and constitutes grounds for an administrative proceeding and further discipline.

3. Upon entry of this Order, Dr. Gurralla's license shall be placed on INDEFINITE PROBATION for not less than 12 months of actual practice, subject to the following TERMS and CONDITIONS:

a. Within 60 days of entry of this Order, Dr. Gurralla shall submit to the Board written attestation that he has obtained a primary care provider outside of his practice group.

b. During the term of probation, Dr. Gurralla shall continue monthly psychotherapy/medication management and monitoring of his mental health status with random urine drug screens with Imran Akram, M.D. Dr. Gurralla shall ensure that Dr. Akram submits quarterly reports to the Board updating on his progress and treatment status.

c. Within nine months of entry of this Order, Dr. Gurralla shall provide written proof satisfactory to the Board of successful completion of 15 hours of Board-approved continuing education in professionalism and ethics and boundaries. Such course(s) shall be approved in advance of registration by the Executive Director of the Board. Requests for approval must be received within 15 business days prior to the course date. All continuing education hours shall be completed through face-to-face, interactive sessions (i.e., no home study, journal, or Internet courses). Continuing education obtained through compliance with this term shall not be used toward licensure renewal.

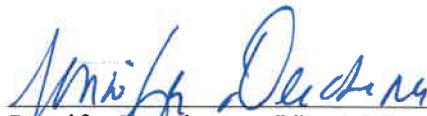
d. Within nine months of entry of this Order, Dr. Gurralla shall provide written proof satisfactory to the Board of successful completion of 8 hours of Board-approved continuing

education in medical recordkeeping and documentation. Such course(s) shall be approved in advance of registration by the Executive Director of the Board. Requests for approval must be received within 15 business days prior to the course date. All continuing education hours shall be completed through face-to-face, interactive sessions (i.e., no home study, journal, or Internet courses). Continuing education obtained through compliance with this term shall not be used toward licensure renewal.

4. Upon receipt of evidence that Dr. Gurrula has complied with the foregoing terms of this Order, the Executive Director is authorized to close this matter, or refer it to a special conference committee for review.

Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

FOR THE BOARD

  
\_\_\_\_\_  
Jennifer Deschenes, J.D., M.S.  
Deputy Executive Director, Discipline  
Virginia Board of Medicine

ENTERED: 1/27/2020

**NOTICE OF RIGHT TO APPEAL**

Pursuant to Virginia Code § 54.1-2400(10), you have 30 days from the date you are served with this Order in which to notify William L. Harp, M.D., Executive Director, Board of Medicine, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that you desire a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.

**DRAFT UNAPPROVED**  
**VIRGINIA BOARD OF MEDICINE**  
**SPECIAL CONFERENCE COMMITTEE MINUTES JANUARY 23, 2020**

*Department of Health Professions*  
*Perimeter Center*  
*9960 Mayland Drive, Suite 201*  
*Henrico, VA*

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**CALL TO ORDER:** A Special Conference Committee of the Board was called to order at 9:00 a.m.

**MEMBERS PRESENT:** Martha Wingfield, Chair  
David Archer, M.D.  
Manjit Dhillon, M.D.

**STAFF PRESENT:** Jennifer L. Deschenes, Deputy Executive Director, Discipline  
Jennie F. Wood, Case Manager, Discipline  
Tracy Robinson, Adjudication Specialist

**OTHERS PRESENT:** Pam Kincheloe, Esquire  
Victoria Hinton

**MATTER:** **Joseph Parimal Gurralla, M.D. License No.: 0101-2422248**  
**Case Nos.: 189293, 193328**

**DISCUSSION:** Dr. Gurralla appeared before the Committee in person in accordance with a Notice of the Board dated August 12, 2019. Dr. Gurralla was represented by Edward A. Gonsalves, Esquire.

The Committee fully discussed the allegations in the Notice with Dr. Gurralla.

**CLOSED SESSION:** Upon a motion by Dr. Dhillon, and duly seconded by Dr. Archer, the Committee voted to convene a closed meeting pursuant to §2.2-3711.A (27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Dr. Gurralla. Additionally, he moved that Ms. Deschenes and Ms. Wood attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

**RECONVENE:** Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Committee re-convened in open session and announced its decision.



**DECISION:** Upon a motion by Dr. Dhillon, and duly seconded by Dr. Archer, the Committee made certain findings of fact and conclusions of law and voted to issue Dr. Gurralla a reprimand and place his license on indefinite probation with terms and conditions.

**VOTE:** The vote was unanimous.

**ADJOURNMENT:** The Committee adjourned at 11:28 a.m.

*As provided by law this decision shall become a Final Order thirty (30) days after service of such Order on Dr. Gurralla, unless a written request to the Board for a formal hearing on the allegations made against him is received from Dr. Gurralla, within such time. If service of the Order is made by mail three (3) additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of the Special Conference Committee shall be vacated.*

\_\_\_\_\_  
Martha Wingfield, Chair

\_\_\_\_\_  
William L. Harp, M.D., Executive Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date



# COMMONWEALTH of VIRGINIA

David E. Brown, D.C.  
Director

## Department of Health Professions

Perimeter Center  
9960 Mayland Drive, Suite 300  
Henrico, Virginia 23233-1463

www.dhp.virginia.gov  
TEL (804) 367- 4400  
FAX (804) 527- 4475

October 15, 2019

Edward A. Gonsalves, Esq.

Armstrong, Donohue, Ceppos, Vaughan & Rhoades  
204 Monroe St., Ste. 101  
Rockville, MD 20850

*Via Email and First Class Mail*

[egonsalves@adclawfirm.com](mailto:egonsalves@adclawfirm.com)

**RE: Joseph P. Gurralla, M.D. / License No.: 0101-242248  
Cases 189293; 193328 - Rescheduling of Informal Conference**

Dear Mr. Gonsalves:

This letter is official notification that Dr. Gurralla's informal conference previously scheduled to convene on November 6, 2019, and continued upon your request, has been rescheduled for **Thursday, January 23, 2020, at 9:00 a.m., at the offices of the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2<sup>nd</sup> Floor, Henrico, Virginia.**

You and Dr. Gurralla should arrive at least fifteen (15) minutes in advance of the appointed time. Materials relating to Dr. Gurralla's informal conference were previously provided with the original Notice dated August 12, 2019. These documents will be distributed to the members of the Special Conference Committee and will be considered by the Committee when deliberating on this case.

Should Dr. Gurralla wish to submit additional information for consideration by the Committee, you must submit eight (8) copies to the attention of Jennie F. Wood, Discipline Case Manager, Virginia Board of Medicine, Perimeter Center, 9960 Mayland Drive, 3<sup>rd</sup> Floor, Henrico, Virginia 23233 by **January 2, 2020.**

If you have any further questions regarding this matter, please contact Tracy Robinson, Adjudication Specialist, at (804) 367-4694; or by email at [tracy.robinson@dhp.virginia.gov](mailto:tracy.robinson@dhp.virginia.gov).

Sincerely,

Jennifer L. Deschenes, J.D., M.S.  
Deputy Executive Director, Discipline  
Virginia Board of Medicine

**Rescheduling Letter - Joseph P. Gurralla, M.D.**  
**Page 2**

cc: Joseph P. Gurralla, M.D.  
Tracy Robinson, Adjudication Specialist, APD  
Mark R. Cranfill, Sr. Invest., Enforcement  
Lorraine McGehee, Deputy Director, APD  
Tamika Hines, Case Manager - FOIA



# COMMONWEALTH of VIRGINIA

David E. Brown, D.C.  
Director

Department of Health Professions  
Perimeter Center  
9960 Mayland Drive, Suite 300  
Henrico, Virginia 23233-1463

www.dhp.virginia.gov  
TEL (804) 367- 4400  
FAX (804) 527- 4475

August 16, 2019

Edward A. Gonsalves, Esq.  
Armstrong, Donohue, Ceppos, Vaughan & Rhoades *Via Email and First Class Mail*  
204 Monroe St., Ste. 101 [egonsalves@adclawfirm.com](mailto:egonsalves@adclawfirm.com)  
Rockville, MD 20850

**RE: Joseph P. Gurralla, M.D. / License No.: 0101-242248**  
***Continuance of Informal Hearing***

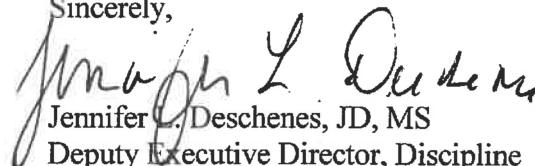
Dear Mr. Gonsalves:

The Virginia Board of Medicine ("Board") is in receipt of your email correspondence dated August 15, 2019, whereby you request a continuance of Dr. Gurralla's informal conference, which is currently scheduled to convene November 6, 2019.

After careful consideration, it has been determined that your request should be granted. Therefore, Dr. Gurralla's informal conference will be rescheduled. You and Dr. Gurralla will receive written notification regarding the future date and time.

If you have any questions regarding this decision, please contact Jennie F. Wood, Case Manager, at (804) 367-4571; or by email, [jennie.wood@dhp.virginia.gov](mailto:jennie.wood@dhp.virginia.gov).

Sincerely,

  
Jennifer L. Deschenes, JD, MS  
Deputy Executive Director, Discipline  
Virginia Board of Medicine

cc: Joseph P. Gurralla, M.D.  
Tracy Robinson, Adjudication Specialist [189293; 193328]  
Lorraine McGehee, Deputy Director, APD  
Mark R. Cranfill, Sr., Investigator, Enforcement  
Tamika Hines, Case Manager - FOIA



# COMMONWEALTH of VIRGINIA

David E. Brown, D.C.  
Director

## Department of Health Professions

Perimeter Center  
9960 Mayland Drive, Suite 300  
Henrico, Virginia 23233-1463

[www.dhp.virginia.gov](http://www.dhp.virginia.gov)  
TEL (804) 367- 4400  
FAX (804) 527- 4475

August 12, 2019

Joseph Parimal Gurrula, M.D.  
43430 Robey Square  
Ashburn, VA 20148

**UPS OVERNIGHT MAIL**

RE: Case Numbers 189293, 193328

Dear Dr. Gurrula:

Attached is a Notice of Informal Conference and Statement of Allegations.

For information regarding this type of proceeding, including Frequently Asked Questions regarding Disciplinary Proceedings, directions to the Department of Health Professions Conference Center, instructions for requesting subpoenas, the Board's Sanctioning Reference Points, the text of the Administrative Process Act and other statutes and regulations cited herein, and other related information, please see [www.dhp.virginia.gov/medicine/medicine\\_Hearings.htm](http://www.dhp.virginia.gov/medicine/medicine_Hearings.htm). If you do not have Internet access, you may request a hard copy of any of this information by calling Jennie F. Wood, Discipline Case Manager at (804) 367-4571.

If you have any questions, you may contact Tracy E. Robinson, Adjudication Specialist, at (804) 367-4694 or [tracy.robinson@dhp.virginia.gov](mailto:tracy.robinson@dhp.virginia.gov). Please notify the Board office of your intent to attend this proceeding.

Sincerely,

Jennifer Deschenes, J.D., M.S.  
Deputy Executive Director, Discipline  
Virginia Board of Medicine

cc: Tracy E. Robinson, Adjudication Specialist, Administrative Proceedings Division  
Lorraine McGehee, Deputy Director, Administrative Proceedings Division  
Mark R. Cranfill, Senior Investigator, Division of Enforcement  
Edward A. Gonsalves, Esquire

Board of Audiology & Speech-Language Pathology – Board of Counseling – Board of Dentistry – Board of Funeral Directors & Embalmers  
Board of Long-Term Care Administrators – Board of Medicine – Board of Nursing – Board of Optometry – Board of Pharmacy  
Board of Physical Therapy – Board of Psychology – Board of Social Work – Board of Veterinary Medicine  
Board of Health Professions

**BEFORE THE VIRGINIA BOARD OF MEDICINE**

**IN RE:           JOSEPH PARIMAL GURRALA, M.D.**  
**License Number:           0101-242248**  
**Issue Date:                July 25, 2007**  
**Expiration Date:           June 30, 2020**

**Reg. for CBD/THC-A Oil: 0241-000237**  
**Issue Date:                February 26, 2019**  
**Expiration Date:           January 31, 2020**  
**Case Numbers:             189293, 193328**

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**NOTICE OF INFORMAL CONFERENCE  
AND STATEMENT OF ALLEGATIONS**

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**You are hereby notified that an Informal Conference has been scheduled before the Board of Medicine (“Board”) regarding your license to practice medicine and surgery in the Commonwealth of Virginia.**

<b>TYPE OF PROCEEDING:</b>	This is an informal conference before a Special Conference Committee (“Committee”) of the Board.
<b>DATE AND TIME:</b>	<b>November 6, 2019</b> <b>11:00 AM</b>
<b>PLACE:</b>	Virginia Department of Health Professions Perimeter Center - 9960 Mayland Drive 2 <sup>nd</sup> Floor - Virginia Conference Center Henrico, Virginia 23233

**LEGAL AUTHORITY AND JURISDICTION:**

1. This informal conference is being held pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10). This proceeding will be convened as a public meeting pursuant to Virginia Code § 2.2-3700.

2. At the conclusion of the proceeding, the Committee is authorized to take any of the following actions:

- Exonerate you;
- Reprimand you;
- Require you to pay a monetary penalty;
- Place you on probation and/or under terms and conditions; or
- Refer the matter to the Board of Medicine for a formal administrative hearing.

**ABSENCE OF RESPONDENT AND RESPONDENT'S COUNSEL:**

If you fail to appear at the informal conference, the Committee may proceed to hear this matter in your absence and may take any of the actions outlined above.

**RESPONDENT'S LEGAL RIGHTS:**

You have the right to the information on which the Committee will rely in making its decision, to be represented by counsel at this proceeding, to subpoena witnesses and/or documents, and to present relevant evidence on your behalf.

**INFORMAL CONFERENCE MATERIALS:**

Enclosed is a copy of the documents that will be distributed to the members of the Committee and will be considered by the Committee when discussing any allegations with you and when deliberating on your case. **These documents are enclosed only with the notice sent by UPS overnight mail. Please bring these documents with you to the informal conference.**

**FILING DEADLINES:**

Deadline for filing materials: **October 18, 2019**. Submit (8) copies of all documents you want the Board to consider to Jennie F. Wood, Discipline Case Manager, Board of Medicine, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. Exhibits may not be sent by facsimile or e-mail.

**REQUEST FOR A CONTINUANCE BY: August 26, 2019**

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**STATEMENT OF ALLEGATIONS**

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The Board alleges that:

1. At all times relevant hereto, Joseph Parimal Gurralla, M.D., was licensed to practice medicine and surgery in the Commonwealth of Virginia.

2. Dr. Gurralla violated Virginia Code § 54.1-2915(A)(3), (8), (13), (16), and (18), and 18 VAC 85-20-25(B) and (C), and 18 VAC 85-20-90(A) and (B) of the Regulations Governing the Practice of Medicine (“Regulations”), in the care and treatment of Patient A between 2016 and 2018. Specifically:

a. Dr. Gurralla stated to the Board’s investigator that he saw Patient A, whom he had been dating for several months, at his practice on October 17, 2016, for the purpose of weight loss. That day, he prescribed #30 phentermine (C-IV) 37.5mg to Patient A without documenting a physical examination, recommending a diet plan or exercise program, or documenting the prescription in the patient’s chart. (The patient’s chart contains a diet plan, but it is dated March 8, 2018, more than 16 months after Dr. Gurralla first prescribed weight-loss medication to Patient A.)

b. By his own admission, Dr. Gurralla did not see Patient A for an office visit again for more than five months, until approximately March 25, 2017. He did not see the patient for an office visit within the first 30 days of initiation of pharmacotherapy for weight loss, nor did he review the results of an electrocardiogram performed and interpreted within 90 days of initial prescribing for treatment of obesity, as required by the Board’s Regulations.

c. On or about March 25, 2017, Dr. Gurralla prescribed #30 diethylpropion (C-IV) 75mg, plus two refills, to Patient A for weight loss. Dr. Gurralla did not document conducting an office visit or physical examination, nor did he record the prescription in Patient A’s chart.



d. In or about April 2017, Dr. Gurralla and Patient A were married. After this date, as detailed below, Dr. Gurralla continued to treat and prescribe medication to Patient A. However, he failed to document office visits or examinations, and the medications were not prescribed in an emergency situation or isolated setting where there was no other qualified practitioner available to the patient. Specifically:

- On or about January 2, 2018, Dr. Gurralla prescribed #60 Adderall (C-II) 20mg to Patient A for weight loss, although the medication is not indicated for this condition. Dr. Gurralla did not record this prescription in Patient A's chart
- On or about January 28, 2018, Dr. Gurralla prescribed #60 Adderall 30mg to Patient A (to be taken BID) after she purportedly claimed to have lost 40 dosage units of the prior prescription and told him that the prior dosage (40mg/day) was not high enough. Dr. Gurralla did not record this prescription in Patient A's chart.
- On or about April 7, 2018, Dr. Gurralla prescribed #15 Xanax 0.5mg to Patient A without recording the prescription in her chart. Dr. Gurralla stated to the Board's investigator that he prescribed the medication in response to the patient's report of experiencing side effects from the Adderall he previously prescribed to her.

e. Dr. Gurralla provided the Board's investigator with the patient's body mass index for the dates he had prescribed medication to her, but her chart did not contain any such information. Dr. Gurralla further reported to the Board's investigator that during Patient A's care he "had some follow-up labs done later on in the treatment," but there is no copy of labs ordered by him in her chart. Dr. Gurralla also reported to the Board's investigator that he discharged Patient A as a patient "once she reached her goal weight" in April 2018; however, no such discharge was documented.

3. Dr. Gurralla violated Virginia Code § 54.1-2915(A)(3), (13), (16), and (18) and 18 VAC 85-20-25(A) and (C) of the Regulations in that, in or about the summer of 2017, Dr. Gurralla prescribed antibiotics to Individual B, a family member and minor, for a presumed ear infection. Dr. Gurralla did not have a bona fide practitioner/patient relationship with Individual B, and by his own admission he did not document this encounter or the prescription.

4. Dr. Gurralla violated Virginia Code § 54.1-2915(A)(16) and (18), as further defined by § 54.1-111(7), and 18 VAC 85-20-105 of the Regulations, in that on or about February 12-13, 2019, he willfully refused to submit to a random urine test, as requested by the Board's investigator during the course of an investigation.

5. Dr. Gurralla violated Virginia Code § 54.1-2915(A)(1) and (16) in that he made false statements relating to the practice of medicine. Specifically, by letter to the Board's investigator dated October 9, 2018, Dr. Gurralla stated:

On Sat Apr 4/7/18 I saw [Patient A] in my office where we did a weight [sic] in and BP/pulse reading. Her vitals were normal. I reviewed her weight/calorie tracker. She was at her goal weight. She revealed she was taking adderall intermittently/prn for weight loss having weaned off it from daily, but was experiencing some minor side effects such as insomnia and irritability. I prescribed Xanax 0.5mg prn #15 to treat her side effects and discontinued her treatment.

None of this information was documented in the patient's chart. Additionally, one day earlier, on April 6, 2018, emergency protective orders had been issued in Loudon County, Virginia, requiring Dr. Gurralla and Patient A to keep away from each other. The protective order issued against Dr. Gurralla was not set to expire until midnight on or about April 9, 2018.

6. Dr. Gurralla may be in violation of Virginia Code § 54.1-2915(A)(4), (14), and (16), in that he is unable to practice medicine with reasonable skill and safety due to illness or substance abuse. Specifically:

a. For the past several years, Dr. Gurralla has engaged in a pattern of erratic and unstable behavior, as follows:

- On or about June 11, 2017, Dr. Gurralla was charged with driving under the influence, first offense, in Fairfax County, Virginia, a misdemeanor in violation of Virginia Code § 18.2-266. On or about March 12, 2018, Dr. Gurralla pleaded guilty and was sentenced to 30 days' incarceration with 30 days suspended, 12 months of unsupervised probation, a restricted driver's license, participation in the Virginia Alcohol Safety Action Program ("VASAP"), placement of an ignition interlock device on his motor vehicle (requiring the driver to provide periodic breath samples to operate the vehicle), and a fine and court costs.

- As reflected in an Order entered January 29, 2019 by the Medical Board of California (“California Board”), Dr. Gurralla said that in August 2017, when his ex-wife and children moved to southern California, he “immediately secured part-time employment and housing, and moved to southern California too.” When he contacted the California Board to provide his new address so that he could begin working in that state, he “was informed by the Board he could not practice in California” under terms that had been in place on his California medical license since 2013. In response, Dr. Gurralla moved back to Virginia. The California Board noted in its 2019 order that Dr. Gurralla’s failure to comply with the terms of the 2013 Order demonstrated “confusion, disorganization, and failure to focus.” The California Board also concluded that Dr. Gurralla “is a highly educated individual, who is capable of following the terms and conditions of probation. To date, his conduct makes him appear uninterested, unorganized, and neglectful.”
- In the late evening on or about April 5, 2018, police were called to Dr. Gurralla’s home because he and his wife, Patient A, were fighting after consuming alcohol. Emergency protective orders were filed requiring both parties to stay away from each other, and police instructed Dr. Gurralla to leave the home. Patient A subsequently reported to a child protective services (“CPS”) caseworker that Dr. Gurralla returned to the home later that night to take her vehicle because it did not have ignition interlock.
- On April 12, 2018, Patient A informed the CPS caseworker that on or about April 9<sup>th</sup>, at her invitation Dr. Gurralla had come to their home (in violation of the protective order), and they began drinking alcohol and arguing. Patient A called the police, but Dr. Gurralla left the home before police arrived. On April 10<sup>th</sup>, Dr. Gurralla returned to the home and was arrested for violating the protective order.
- On or about May 9, 2018, Dr. Gurralla was interviewed by the CPS caseworker. At that time, he admitted that he had lied to the police about Patient A throwing a lamp at him on April 5<sup>th</sup>, although his wife had been charged with assault and a protective order had been issued based on this allegation.<sup>1</sup> When asked about his wife’s allegation that he was using the Adderall that he had prescribed to her, Dr. Gurralla denied it; however, when providing the caseworker with the names of the medications he was taking, he did not inform her that he was taking Adderall (he had filled his own prescription for this medication less than three weeks earlier, on April 20<sup>th</sup>). Further, Dr. Gurralla admitted to the caseworker that he had taken his wife’s car on “several occasions” because her car did not have an ignition interlock on it. At the time, Dr. Gurralla was on probation from the DUI and had been attending VASAP courses, where he could be randomly tested for alcohol use.
- On or about July 5, 2018, Dr. Gurralla was charged with having operated a motor vehicle on July 3, 2018, while his driver’s license was under suspension, a misdemeanor in violation of Virginia Code § 46.2-301(B). Dr. Gurralla pleaded no contest to this charge and was found guilty on August 9, 2018. His sentence included a fine and court costs.

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<sup>1</sup> Of note, in a written statement to the Board’s investigator, dated May 16, 2019, Dr. Gurralla stated that the CPS worker “requested to speak with me because following the altercation during which [Patient A] threw a lamp at me that struck my forehead, I called the police.”

- On or about September 21, 2018, Dr. Gurralla was charged with having failed to comply with VASAP on July 18, 2018, a misdemeanor in violation of Virginia Code § 18.2-271.1. Dr. Gurralla pleaded no contest to this charge and was found guilty on October 4, 2018. His sentence included revocation of the probation from the DUI conviction and court costs. The same day, Dr. Gurralla appealed this matter to Fairfax County Circuit Court.
- On or about September 28, 2018, Dr. Gurralla was charged with having operated a motor vehicle on August 30, 2018, while his driver's license was under suspension, a misdemeanor in violation of Virginia Code § 18.2-272. On December 20, 2019, he was found guilty and sentenced to 60 days' incarceration with 60 days suspended, a fine, and court costs.
- On or about November 25, 2018, Patient A filed a domestic violence complaint with police stating that Dr. Gurralla had thrown a cup at her and had thrown her to the ground, injuring her. An emergency protective order was issued for Dr. Gurralla to stay away from his wife.
- On February 12-13, 2019, Dr. Gurralla refused to submit to a random urine test as requested by the Board's investigator.

b. Since approximately 2016, Dr. Gurralla has engaged in a pattern of unusual or suspicious behavior regarding prescriptions for controlled substances, and/or engaged in drug-seeking behavior, as follows:

Date	Rx issued to Dr. Gurralla	Prescriber	Additional Information
6/29/16	#90 diethylpropion 75mg (90d)	Physician 1	Physician 1 worked with Dr. Gurralla at his practice.
9/7/16	#30 phentermine 37.5 (30d)	Physician 1	Dr. Gurralla should have had approximately 20 days' worth of diethylpropion remaining, if taking it as directed. Approximately 5 weeks later, on 10/17/16, Dr. Gurralla prescribed #30 phentermine 37.5mg to Patient A, who he was dating at the time; this was the only prescription for phentermine he wrote for Patient A.
3/25/17	n/a	n/a	Dr. Gurralla prescribed #30 diethylpropion 75mg, plus 2 refills, to Patient A this date without documenting such in her chart. (Refills were obtained on 7/8/17 and 8/28/17.) Dr. Gurralla stated to the Board's investigator that he changed her medication to diethylpropion because she "expressed that she was feeling phentermine was not as effective anymore."
8/24/17	#30 diethylpropion 75mg (30d)	Physician 2	Physician 2 worked with Dr. Gurralla at his practice.
12/1/17	#30 diethylpropion 75mg (30d)	Physician 2	" "
12/6/17	#60 Adderall 20mg (30d)	Psychiatrist 3	Per Psychiatrist 3, who had known Dr. Gurralla since approximately 2004, Dr. Gurralla contacted him in Nov.

Joseph Parimal Gurralla, M.D. – NOTICE OF INFORMAL CONFERENCE

August 12, 2019

Page 8 of 11

			<p>2017 to ask about his “experience using stimulant medication as part of a weight loss protocol.” They subsequently met in person, and Dr. Gurralla said “he had been taking phentermine for weight loss, but was concerned he was developing a tolerance to 37.5mg q a.m.” Psychiatrist 3 stated that he prescribed Adderall to Dr. Gurralla because he met the criteria for binge eating disorder. (Of note, Dr. Gurralla had not filled any Rx’s for phentermine in Virginia for at least the prior 3 months. Also of note, Psychiatrist 3 did not keep a chart for Dr. Gurralla.)</p> <p>Less than one month later, on 1/2/18, Dr. Gurralla prescribed #60 Adderall 20mg to Patient A without documenting such in her chart. Dr. Gurralla stated to the Board’s investigator that he changed Patient A’s medication to Adderall “as she felt the last appetite suppressants were not curbing cravings and giving her energy.”</p>
1/22/18	#60 Adderall 30mg (30d)	Psychiatrist 3	<p>Six days after this prescription was issued, on 1/28/18, Dr. Gurralla prescribed #60 Adderall 30mg to Patient A without documenting such in her chart. Dr. Gurralla referred to this Rx in correspondence to the Board’s investigator as a “refill”; however, the dosage was increased from 40mg/day to 60mg/day (just as the dosage had increased with the Adderall Rx Dr. Gurralla had received from Psychiatrist 3).</p>
4/7/18	n/a	n/a	<p>Dr. Gurralla prescribed #15 Xanax 0.5mg to Patient A without documenting such in her chart. As described above in Allegation #5, at this time there were emergency protective orders in place requiring Dr. Gurralla and Patient A to stay away from each other.</p>
4/20/18	#60 Adderall 30mg (30d)	Psychiatrist 3	n/a
5/9/18	n/a	n/a	<p>During an interview by a CPS worker this date, and Dr. Gurralla did not inform her that he was being prescribed Adderall, although he named other medications he was prescribed.</p>
6/29/18	#60 Adderall 30mg (30d)	Psychiatrist 3	<p>Per Psychiatrist 3, Dr. Gurralla “did not require a refill following [this] prescription, as he felt his diet and meal schedule had become well regulated.”</p>
	#30 phentermine 37.5mg (30d)	Physician 2	<p>Dr. Gurralla filled this Rx the same day as the Adderall Rx immediately above, but at a different pharmacy.</p>
8/24/18	#30 diethylpropion 75mg (30d)	Physician 4	<p>This prescriber practices in Maryland and did not respond to the subpoena issued by the Board’s investigator for Dr. Gurralla’s patient chart.</p>
9/19/18	#30 phentermine 37.5mg (30d)	Physician 2	n/a
10/17/18	#30 phentermine 37.5mg (30d)	Physician 2	n/a
11/5/18	#30 diethylpropion 75mg (30d) + 2RFs	FNP 5	<p>FNP 5 works at Dr. Gurralla’s second place of employment (Dr. Gurralla began working there in July</p>

			2018). Based on documentation from this patient encounter, Dr. Gurralla did not inform the provider that he was being prescribed phentermine at another practice.
12/6/18	#30 phentermine 37.5mg (30d)	Physician 2	n/a
12/30/18	#30 diethylpropion 75mg (30d)	FNP 5	n/a
1/25/19	#60 diethylpropion 75mg (60d)	Physician 2	Dr. Gurralla should have had several days of medication remaining from the 12/30/18 Rx, if taking as directed.

7. Dr. Gurralla violated Virginia Code § 54.1-2915(A)(1) and (16) in that, in late 2018 he made false statements to the Board's investigator. Specifically:

a. In written statement dated September 5, 2018, regarding prescriptions he wrote for Patient A while they were dating and after they were married, Dr. Gurralla stated: "This was my only instance in having a dual relationship since my licensure in 2007..." However, during an interview with the Board's investigator on May 16, 2019, Dr. Gurralla admitted that in or about the summer of 2017, he prescribed antibiotics to Individual B, a family member, for a presumed ear infection, outside of a bona fide physician/patient relationship (as further described above in Allegation #3).


b. In a written statement dated October 9, 2018, Dr. Gurralla stated: "While it is no excuse, it is not a habit of mine to not keep contemporaneous medical records, and this was an isolated case in which the only reason I did not keep a contemporaneous record for [Patient A] was due to our personal relationship and our mutual desire to keep her treatment confidential from my work colleagues and peers." However, Dr. Gurralla failed to keep a contemporaneous record of treatment provided in 2017 to Individual B, as described above. Additionally, by Order entered May 12, 2011, the Board found that

from approximately March to June 2007, while in a residency training program, [Dr. Gurralla] provided psychotherapy and medication management to [a patient] outside of the residency program's supervision, and took payments directly from the patient outside of the established clinical billing procedures. Further, Dr. Gurralla failed to maintain a record of numerous encounters with the patient and, in July 2007, when asked to produce the patient's record, he created and backdated records and presented them to his supervisor as contemporaneous documentation.

The Order further noted, “Despite a prior verbal warning from the director of residency training in regard to his patient documentation, Dr. Gurralla failed to keep records of his treatment of [the patient].”

Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Dr. Gurralla’s health records or health services.

See Confidential Attachment for the names of the patient and individuals referenced above.

  
\_\_\_\_\_  
Jennifer L. Deschenes, J.D., M.S.  
Deputy Executive Director, Discipline  
Virginia Board of Medicine

8/12/19  
Date



# COMMONWEALTH of VIRGINIA

David E. Brown, D.C.  
Director

## *Department of Health Professions*

Perimeter Center  
9960 Mayland Drive, Suite 300  
Henrico, Virginia 23233-1463

[www.dhp.virginia.gov](http://www.dhp.virginia.gov)  
TEL (804) 367- 4400  
FAX (804) 527- 4475

May 4, 2018

Joseph Parimal Gurralla, M.D.  
43430 Robey Square  
Ashburn, VA 20148

**RE: 0101-242248**

Dear Dr. Gurralla:

Pursuant to Section 54.1-2409 of the Code of Virginia, please find enclosed a copy of an Order of Mandatory Suspension based on the revocation of your license to practice medicine by the Medical Board of California. Since this revocation was based on conduct previously adjudicated by the Virginia Board of Medicine, the enclosed Consent Order, which allows for the immediate reinstatement of your license to practice medicine in the Commonwealth of Virginia, was entered concurrently with the Order of Mandatory Suspension.

Should you have any questions regarding the above-stated Orders, please contact the Board office at (804) 367-4571.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Deschenes".

Jennifer L. Deschenes, J.D., M.S.  
Deputy Executive Director, Discipline  
Virginia Board of Medicine

Enclosure: Mandatory Suspension Order [186976]  
Consent Order-reinstatement

cc: Anne Joseph, Deputy Director, APD  
Susan Brooks, APD Office Manager  
Tamika Hines, Case Manager - FOIA



## BEFORE THE VIRGINIA BOARD OF MEDICINE

IN RE: **JOSEPH PARIMAL GURRALA, M.D.****License Number: 0101-242248****Case Number: 186976**

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**CONSENT ORDER**

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**JURISDICTION AND PROCEDURAL HISTORY**

The Virginia Board of Medicine ("Board") and Joseph Parimal Gurralla, M.D., as evidenced by their signatures hereto, in lieu of proceeding to a formal administrative proceeding, enter into the following Consent Order affecting Dr. Gurralla's license to practice medicine and surgery in the Commonwealth of Virginia.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

1. Joseph Parimal Gurralla, M.D., was issued License Number 0101-242248 to practice medicine and surgery on July 25, 2007, which is scheduled to expire on June 30, 2018.
2. By Order entered May 12, 2011, the Board reprimanded Dr. Gurralla, imposed a monetary penalty, and placed him on terms and conditions. By letter dated February 7, 2012, the Board notified Dr. Gurralla that he had complied with the Board's prior Order and terminated the terms and conditions imposed on his license.
3. By Stipulation with Dr. Gurralla entered December 11, 2013, the Medical Board of California issued Dr. Gurralla a probationary physician and surgeon's license under terms and conditions, based on the facts that the Virginia Board had addressed in its May 12, 2011 Order. On January 18, 2018, the Medical Board of California entered a Decision and Order revoking Dr. Gurralla's license, then stayed the revocation and placed him on probation, due to his failure to comply with the terms and conditions imposed on his California license in 2013.

MAY 2 18 2:21PM

BOM

4. On May 3, 2018, the Virginia Department of Health Professions suspended Dr. Gurralla's license to practice medicine and surgery in the Commonwealth of Virginia pursuant to Virginia Code § 54.1-2409, based on the January 18, 2018, action of the Medical Board of California.

5. The reinstatement of Dr. Gurralla's license to practice medicine and surgery in the Commonwealth of Virginia is properly before the Board.

### CONSENT

Joseph Parimal Gurralla, M.D., by affixing his signature to this Consent Order, agrees to the following:

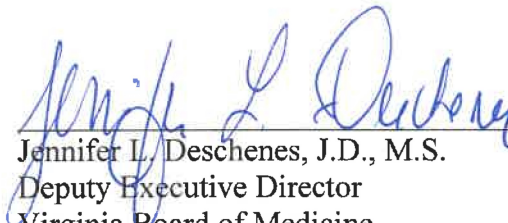
1. I have been advised to seek advice of counsel prior to signing this document;
2. I am fully aware that without my consent, no legal action can be taken against me or my license except pursuant to the Virginia Administrative Process Act, Virginia Code § 2.2-4000 *et seq.*;
3. I acknowledge that I have the following rights, among others: the right to a formal administrative hearing before the Board; the right to representation by counsel; and the right to cross-examine witnesses against me;
4. I waive my right to a formal hearing;
5. I admit to the Findings of Fact and Conclusions of Law contained herein and waive my right to contest such Findings of Fact and Conclusions of Law and any sanction imposed hereunder in any future judicial or administrative proceeding in which the Board is a party;
6. I consent to the entry of the following Order affecting my license to practice medicine and surgery in the Commonwealth of Virginia.

**ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Medicine hereby ORDERS that the license of Joseph Parimal Gurralla, M.D., to practice medicine and surgery in the Commonwealth of Virginia is REINSTATED without restriction.

Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

FOR THE BOARD

  
\_\_\_\_\_  
Jennifer L. Deschenes, J.D., M.S.  
Deputy Executive Director  
Virginia Board of Medicine

ENTERED: 5/3/18

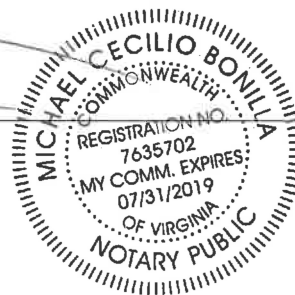
SEEN AND AGREED TO:

  
\_\_\_\_\_  
Joseph Parimal Gurrula, M.D.

COMMONWEALTH OF VIRGINIA  
COUNTY/CITY OF Fairfax, TO WIT:

Subscribed and sworn to before me, a notary public in and for the Commonwealth of Virginia at large,  
on this <sup>Wed</sup> ~~3~~ <sup>9<sup>th</sup></sup> day of May, 2018.

  
\_\_\_\_\_  
Notary Public



My commission expires:

07/31/2019

Registration No.:

7635702

**BEFORE THE VIRGINIA DEPARTMENT OF HEALTH PROFESSIONS**

**IN RE:       JOSEPH PARIMAL GURRALA, M.D.**  
**License Number: 0101-242248**  
**Case Number: 186976**


**ORDER OF MANDATORY SUSPENSION**

In accordance with Virginia Code § 54.1-2409, I, David E. Brown, D.C., Director of the Virginia Department of Health Professions, received and acted upon evidence that the Medical Board of California revoked the license of Joseph Parimal Gurralla, M.D., to practice as a physician and surgeon in the State of California. A certified copy of the Decision and Order of the Medical Board of California is attached hereto as Commonwealth's Exhibit 1.

WHEREUPON, by the authority vested in the Director of the Department of Health Professions pursuant to Virginia Code § 54.1-2409, it is hereby ORDERED that the license of Joseph Parimal Gurralla, M.D., to practice medicine and surgery in the Commonwealth of Virginia is hereby SUSPENDED.

Upon entry of this Order, the license of Joseph Parimal Gurralla, M.D., will be recorded as suspended and no longer current and valid. Should Dr. Gurralla seek reinstatement of his license pursuant to Virginia Code § 54.1-2409, he shall be responsible for any fees that may be required for the reinstatement of the license prior to issuance of the license to resume practice.

Pursuant to Virginia Code § 2.2-4023 and § 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record and shall be made available for public inspection or copying on request.

  
\_\_\_\_\_  
David E. Brown, D.C., Director  
Virginia Department of Health Professions

ENTERED:

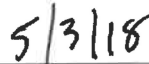
5/3/18

### **CERTIFICATION OF DUPLICATE RECORDS**

I, David E. Brown, D.C., Director of the Department of Health Professions, hereby certify that the attached Decision and Order entered February 27, 2018, regarding Joseph Parimal Gurralla, M.D., is a true copy of the records received from the Medical Board of California.

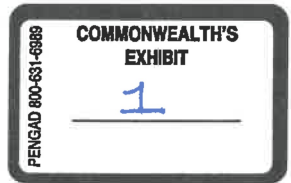


David E. Brown, D.C.



Date

BEFORE THE  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA



In the Matter of the Petition to Revoke Probation )

Against: )

Joseph Parimal Gurralla, M.D. )

Case No. 800-2017-032908

Physician's and Surgeon's )  
Certificate No. C 128171 )

Respondent )  
\_\_\_\_\_ )

DECISION

The attached Proposed Decision is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on March 29, 2018.

IT IS SO ORDERED: February 27, 2018.

MEDICAL BOARD OF CALIFORNIA

A handwritten signature in black ink, appearing to read 'Ronald H. Lewis'.

Ronald H. Lewis, M.D, Chair  
Panel A

MEDICAL BOARD OF CALIFORNIA

I do hereby certify that this document is a true and correct copy of the original on file in this office.

Signature

Title

For Custodian of Records

Date

3/21/2018

BEFORE THE  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Petition to Revoke  
Probation Against:

JOSEPH PARIMAL GURRALA, M.D.,

Physician and Surgeon's Certificate  
No. C 128171

Respondent.

OAH No. 2017091076

Case No. 800-2017-032908

**PROPOSED DECISION**

This matter was heard before Erin R. Koch-Goodman, Administrative Law Judge, Office of Administrative Hearings, State of California, on December 27, 2017, in Sacramento, California.

Mia Perez-Arroyo, Deputy Attorney General, represented Kimberly Kirchmeyer (complainant); Executive Director, Medical Board of California (Board), Department of Consumer Affairs.

Joseph Parimal Gurralla, M.D. (respondent) appeared and represented himself.

Evidence was received, and the record was held open for seven days for the submission of an original Certification of Licensure from the Board. A copy was provided at hearing and respondent was given an opportunity to object to the copy or a later submitted original. With no objection, the original Certificate of Licensure was submitted by close of business January 3, 2018, and marked and admitted as Exhibit 2. Thereafter, the record was closed and the matter submitted for decision on January 3, 2018.

**FACTUAL FINDINGS**

1. In 2007, the Virginia Department of Health Professionals issued a Medicine and Surgery License to respondent. Currently, respondent practices medicine in Virginia and resides in Herndon.



2. On October 5, 2012, respondent submitted an application to the Board for a Physician and Surgeon's License in California. In his application, respondent disclosed he had resigned from postgraduate training, was disciplined or placed under investigation, and incident reports were filed by instructors. Respondent also disclosed he had been charged with unprofessional conduct by a medical licensing board, other agency or hospital, and has had a medical license subjected to disciplinary action.

3. On December 11, 2013, the Board and respondent agreed to a Stipulation for a Probationary License, effective December 18, 2013. The Stipulation granted respondent a Probationary Physician and Surgeon's License for a period of three years, with the following conditions: 2 - Medical Recordkeeping Class; 3 - Psychotherapy; 4 - Notification; 5 - Supervision of Physician's Assistants; 6 - Obey All Laws; 7 - Quarterly Declarations; 8 - General Probation Requirements; 9 - Interview with Board or Its Designee; 10 - Non-Practice While on Probation; 11 - Completion of Probation; 12 - Violation of Probation; 13 - License Surrender; and 14 - Probation Monitoring Costs. Relevant here, are Conditions 7 and 10 which provide:

7) QUARTERLY DECLARATIONS. Applicant shall submit quarterly declarations under penalty of perjury on forms provided by the Board, stating whether there has been compliance with all conditions of probation.

Applicant shall submit quarterly declarations not later than ten (10) calendar days after the end of the preceding quarter.

[¶] ... [¶]

10) NON-PRACTICE WHILE ON PROBATION. Applicant shall notify the Board or designee in writing within fifteen (15) calendar days of any periods of non-practice lasting more than thirty (30) calendar days and within fifteen (15) calendar days of applicant's return to practice. Non-practice is defined as any period of time applicant is not practicing medicine in California as define[d] in Business and Professions Code sections 2051 and 2052 for at least forty (40) hours in a calendar month in direct patient care, clinical activity or teaching, or other activity as approved by the Board. All time spent in an intensive training program which has been approved by the Board or its designee shall not be considered non-practice. A Board-order[ed] suspension of practice shall not be considered as a period of non-practice.

Respondent shall obey all federal, state and local laws, all rules governing the practice of medicine in California and remain in

full compliance with any court ordered criminal probation, payments, and other orders.

Because respondent practiced out-of-state, the Board required Semi-Annual Declarations, rather than Quarterly Declarations. The Board required respondent's Semi-Annual Declarations be filed by July 10, for January to June (First Half), and January 10, for July to December (Second Half).

4. On December 19, 2013, the Board issued Physician and Surgeon's Certificate License No. C 128171 to respondent. The license will expire on June 30, 2019, unless renewed.

*Compliance With Probationary Terms*

5. In December 2013, respondent's case file was assigned to Ann Hutchinson, Board Probation Analyst. On January 2, 2014, respondent signed the Acknowledgement of Decision, and on January 21, 2014, Ms. Hutchinson signed the Acknowledgement on behalf of the Board. The Acknowledgement states:

The Medical Board of California furnished you with a copy of the Decision in case #800-2013-000235 with an effective date of 12/19/2013. The decision places your certificate on probation for 3 years with specified terms and conditions. You must comply with the terms and conditions of probation in order to continue practicing your profession in the State of California.

Your signature in the space provided below acknowledges that you received a copy of said Decision and that I explained all the terms and conditions of your probation to you and addressed any questions you had about the conditions of your probation.

6. On February 20, 2014, respondent sent an email to Ms. Hutchinson, informing her of his new online medical business, mygeneticmd.com, allowing patients to go online and request a physician consultation and genetic testing for weight related conditions. Respondent noted, in part:

As this may represent a change in my practice, I wanted to inform you per the conditions of my probation. I am still residing at the same address in Virginia and am not planning on relocating to California, but I understand that I can see patients in California as long as I'm licensed there, and that this constitutes practicing medicine in California, so I wanted to advise you of this before I saw patients.

On February 24, 2014, Ms. Hutchinson responded by email, stating, in part:

Per your Order, "Non-practice is defined as any period of time applicant is not practicing medicine in California as define[d] in Business and Professions Code section 2051 and 2052 for at least forty (40) hours in a calendar month in direct patient care, clinical activity or teaching, or other activity as approved by the Board." Therefore, your work with mygeneticmd.com will not count toward your probationary period.

On February 25, 2014, respondent sent Ms. Hutchinson another email, asking for clarification.

Can you tell me if I have to be physically practicing in CA for the 40 hrs/month in order for the work to count toward my probationary period? If I have 40 hours/month of verifiable direct patient contact/care of California residing patients via telehealth, will that count? I understand my current work does not count as I do not currently have the CA patient base for 40 hours/month, but I am asking for the clarification to know if 40 hours/month of telehealth care of CA patients will count. . . . Otherwise, I will obviously need to make plans to physically work there 40 hours/month before the 18 month period I have per my order.

On March 3, 2014, Ms. Hutchinson sent respondent an email providing the following clarification:

I have spoken with my manager regarding your work situation. Because we are not able to verify your California work while you are out of state, your telehealth work will not count toward your probation.

7. On June 23, 2014, Ms. Hutchinson sent respondent an email, providing him with a Semi-Annual Declaration for his completion, and a due date of July 10, 2014, for its return. On June 24, 2014, respondent wrote Ms. Hutchinson an email, confirming his completion of the Semi-Annual Declaration and having mailed it to the Board by certified mail. The Board received respondent's Semi-Annual Declaration on June 27, 2014, for the first half of 2014.

8. On December 12, 2014, Ms. Hutchinson sent respondent an email, requesting respondent complete the Semi-Annual Declaration and return it by January 10, 2015. On December 18, 2014, respondent sent Ms. Hutchinson an email, confirming his completion of the Semi-Annual Declaration and having mailed it to the Board. In addition, respondent informed Ms. Hutchinson:

I also wanted to let you know we have selected the site for our new office in San Diego and anticipate opening by April 2015. Of course I will let you know in writing at least 2 weeks prior to me starting work in CA.

9. On December 23, 2014, the Board received respondent's Semi-Annual Declaration for the second half of 2014.

10. On February 5, 2015, respondent sent an email to Ms. Hutchinson with additional questions, stating, in part:

I wanted to keep you updated about my relocation plans to California and inquire about my license renewal. We plan on signing the lease to the new office in the upcoming weeks and still plan on an opening date of around mid-May as we will need to do some build out. I wanted to confirm when my renewal/license expiry date was again so I know what is the absolute deadline for beginning practice at least 40 hours/month as per my probationary license agreement. I believe you said it's my birthdate, which would be June 25.

On February 5, 2015, Ms. Hutchinson responded by email, providing, in part:

Please advise when you move to California as well as when you start practicing here. Once you move here is when you will need to start complying with the Order. However, your probation time will not start running until you begin practicing 40 hours per month. Within 60 days of moving here, you will need to enroll in the Medical Record Keeping course and submit for prior approval a psychotherapist as per the Order.

On March 5, 2015, respondent sent another email to Ms. Hutchinson, stating, in part:

Sorry for the delay in responding to your last email, but I have been waiting for the lease of our new office to be signed to be able to accurately answer your question about my move and practice start dates. My employer is wrapping up negotiations on the terms of our San Diego office lease with the landlord, and barring any unforeseen circumstances we anticipate signing it by the end of March, after which we will need to do building permitting and buildout, and moving to California and starting to practice between June and July 2015. Once we have the lease signed and buildout permitting begun I will have a more concrete timeframe.

However, they and I are aware of my probation, and I wanted to get some clarification and confirmation of the non-practice clause of my probationary license so that I don't have any unforeseen licensing problems if my move date and practice start date are pushed back by a month or two. I was reviewing my probationary license terms yesterday and it said that I cannot have a non-practice period of more than 2 years from when my CA license is issued, which would be December 2015. I wanted to confirm that this is the case. In case anything falls through however, we have a contingency plan in place to sublet a smaller office so I can start practicing 40hrs/month in California so that I don't go beyond my non-practice timeframe. The new school year for my kids begins in Sep 2015 so we will definitely be moved and I will be practicing at least 40hrs/month by then given we don't want to move during the school year. But if you could please confirm that December 2015 is the deadline for the non-practice clause of my probationary license.

On March 5, 2015, Ms. Hutchinson responded to respondent by email, stating:

Per the term and condition #10 "Non-Practice While on Probation," you are required to comply with this condition of your probation and terms and conditions #6 "Obey All Laws" and #8 "General Probation Requirements." This includes informing me in writing of when you begin practicing and notifying me in writing of any address and phone number changes. Once you move to California, you will need to start complying with all terms and conditions of the probationary Order.

11. On June 25, 2015, the Board received respondent's Semi-Annual Declaration for the first half of 2015. On December 24, 2015, the Board received respondent's Semi-Annual Declaration for the second half of 2015.

12. Sometime after March 2015, Ms. Hutchinson left the employ of the Board. In January or February 2016, Christina Valencia, Management Services Technician, was assigned to monitor respondent's probationary license. Ms. Valencia had no prior experience in monitoring, but trained briefly under Ms. Hutchinson. On or about February 19, 2016, Ms. Valencia sent a letter to respondent's Herndon address, stating, in part:

Please be advised that time spent residing and/or practicing out-of-state will not apply to the reduction of your probationary time in California unless you are on probation and being monitored in the State you are practicing in. If you are on probation in another State, we will periodically contact your assigned

monitor to ensure you remain in compliance with the ordered conditions.

[¶] . . . [¶]

I will be in contact with you semi-annually to ensure we remain current on information and employment status. Your decision requires that you notify the Medical Board of California immediately in writing of any changes to your residence or business address and telephone numbers. Attached is a supply of Semi-Annual Declarations we will use to facilitate this contact. The Semi-Annual Declarations and any written correspondence can be directed to me at the address listed above.

13. On June 8, 2016, Ms. Valencia sent a letter to respondent's Herndon address, and an email to respondent, with the same letter attached. In the email, Ms. Valencia noted calling and leaving a message for respondent on his cellular and work telephone numbers. The letter stated:

I recently sent you a letter in February 2016, and you still have not responded to it. I realize that your next semi-annual declaration is due by July 10, 2016, but I need written confirmation of the status of your current situation. In your last correspondence with Ann Hutchinson, you stated that you could be moving to California and starting to practice between June and July of 2015. As of this date, there is no indication of this move. If you have or when you do moved *[sic]* to California, please contact me within 30 days prior to the date of return.

Your period of non-practice status while on probation has now exceeded the 18 calendar months and you will now be required to successfully complete a clinical training program that meets the criteria of Condition 18 of the current version of the Board's Manual of Model Disciplinary Orders and Disciplinary Guidelines, prior to resuming the practice of medicine in California.

You *[sic]* period of non-practice status while on probation has now exceeded two years, which is a violation of your California Probation Order. If at any time you were in an intensive training program, this period of time will not be considered as a period of non-practice. If so please provide dates and proof of attendance or completion.

On June 9, 2016, respondent sent an email to Ms. Valencia, with a Semi-Annual Declaration for the first half of 2016 attached. The email stated:

I received a message from our call center that you were trying to reach me. I'm not sure if it's for the semiannual declaration but I am attaching it and will mail it to you. I did send the one in December and hope you received it. I am also including my contact info below in case you need to reach me directly. I currently have no plans to move to CA but wish to maintain my licensure.

On June 14, 2016, respondent telephoned Ms. Valencia, wherein respondent informed Ms. Valencia he had no plans to move to California. Respondent asked Ms. Valencia if California would consider his out-of-state practice to meet the terms and conditions of probation. Ms. Valencia explained to respondent that the 18 months of non-practice and the two years of non-practice were defined as any period of time the applicant is not practicing medicine in California as defined in Business and Professions Code sections 2051 and 2052 for at least 40 hours in a calendar month as per Condition 10 of his Probation Order.

14. On June 17, 2016, the Board received respondent's Semi-Annual Declaration for the first half of 2016.

15. In March 2017, Ms. Valencia's supervisors, William Scherrard and Susan Huston, began a review of Ms. Valencia's case files. They discovered respondent's file; determined his conduct violated the Probation Decision and Order; and directed Ms. Valencia to take action, including sending a Non-Compliance Letter to respondent, writing a Probation Non-Compliance Report, and transferring the case to the Attorney General's Office for prosecution.

16. On May 8, 2017, Ms. Valencia sent respondent a Non-Compliance Letter, stating:

This letter is to notify you of your violation with the terms and conditions of your non-practice status while on probation with the Medical Board of California and your failure to submit a Semi-Annual Declaration.

1. On December 19, 2015, you exceed[ed] the two (2) years of non-practice while on probation.
2. On January 10, 2017, you failed to submit the Semi-Annual Declaration.

Please be advised that the Board has referred this matter for disciplinary action.

17. On May 17, 2016, respondent telephoned Ms. Valencia, wherein respondent told Ms. Valencia he had received the Non-Compliance Letter from the Board and he would be faxing his Semi-Annual Declaration immediately. Respondent asked what he could do to stop the case from being referred for disciplinary action. Ms. Valencia informed respondent that the decision was "out of her hands," and he could file a Petition for Early Termination of Probation. Also on May 17, 2017, the Board received a single Semi-Annual Declaration from respondent for both the second half of 2016 and the first half of 2017.

#### *Petition to Revoke Probation*

18. On August 17, 2017, complainant, in her official capacity, made and served the Petition to Revoke Probation against respondent, alleging respondent failed to timely submit quarterly reports and practice while on probation. On or about August 23, 2017, respondent filed a Notice of Defense. An evidentiary hearing followed, conducted before an administrative law judge, pursuant to Government Code section 11505.

#### *Respondent's Testimony*

19. Respondent is 40 years old. He is single and has two minor children who live with his ex-wife. Respondent lives in Herndon, Virginia. His ex-wife and children moved to southern California from Virginia in August 2017. Currently, respondent is practicing medicine with Persona Doctors in Vienna, Virginia. Respondent would like to move to southern California to be closer to his children.

20. Respondent expressed confusion and misunderstanding regarding the terms of his probation. He believes Ms. Hutchinson failed to give clear and unambiguous answers to his questions regarding non-practice and never provided a specific deadline for compliance. In addition, the Board failed to promptly notify him when he violated his probationary terms, so he might immediately correct his errors, or offer him assistance in complying.

21. Respondent admits he failed to actively communicate with the Board from March 5, 2015, until August 23, 2017, with the exception of filing his Semi-Annual Declarations on June 25, 2015, December 24, 2015, June 17, 2016, and May 17, 2017. Respondent apologized for his failures and mentioned personal issues, including his divorce in 2014 that distracted him from focusing on his licensure in California.

22. In August 2017, his ex-wife and children moved to southern California. He immediately secured part-time employment and housing, and moved to southern California too. He contacted the Board to provide his new California address and was informed by the Board he could not practice in California. He then moved back to Virginia. Respondent is anxious to move to California to be near his children. If he is unable to practice in California, he will be unable to move to California and unable to see his children.

23. Respondent believes he now understands his obligations under his probationary terms and is willing to comply. He understands he must complete a clinical



training program before he can practice in California, and he is willing to do so. He is also willing to remain on probation. He has a job offer and apartment in southern California; and his potential California employer is aware of his probationary license status.

### *Discussion*

24. Effective December 18, 2013, respondent became subject to probationary terms and conditions detailed in the Decision and Order, Case No. 800-2013-000235. On January 2, 2014, respondent signed an Acknowledgement, indicating he understood the terms and conditions of his California probationary license. From December 18, 2013, through December 18, 2015, respondent failed to practice medicine in California; a violation of Condition 10 in the Decision and Order.

25. When respondent became confused about the terms and conditions of probation, he sought assistance from the Board; although his efforts were minimal, consisting of only four emails between February 20, 2014, and March 5, 2015. In addition, respondent's ever-changing residential plans contributed to confusion for the Board. In January 2014, respondent was not going to move to California. In December 2014, February and March 2015, he was going to move to California. In June 2016, he was not going to move to California, and in August 2017, he was moving to California. The Board was left guessing when, and if, respondent would begin his probation in California.

26. Respondent is a highly educated individual, who is capable of following the terms and conditions of probation. To date, his conduct makes him appear uninterested, unorganized, and neglectful. However, now, he is exceptionally motivated to be compliant with the Board, because his children reside in California; and to see his children, he must work in California.

27. A probationary license requires attention to detail and strict compliance with terms and conditions; a probationary license is under heightened scrutiny. Respondent must be more cognizant of that fact. While respondent has failed to adhere to the terms and conditions of his probation, his failures are not related to practice or harm to patients. In other words, his noncompliant conduct does not pose a risk to public safety. That said, respondent must now comply perfectly with the probationary terms and conditions or there is little hope for another chance to practice in California. With the proper attention and focus, respondent is capable of complying with probationary terms and conditions. As such, respondent must serve a three-year probationary period with the same terms and conditions in the Decision and Order, effective December 18, 2013; and because of his non-practice for more than 18 months, he must also complete a clinical competence assessment program that meets the criteria of Condition 18 of the current version of the Board's Manual of Model Disciplinary Orders and Disciplinary Guidelines, prior to resuming the practice of medicine in California.

## LEGAL CONCLUSIONS

### *Petition to Revoke Probation*

1. Effective December 19, 2015, respondent became subject to the probationary terms and conditions detailed in the Decision and Order, Case No. 800-2013-000235, including Condition 10, which states:

Applicant shall notify the Board or designee in writing within fifteen (15) calendar days of any periods of non-practice lasting more than thirty (30) calendar days and within fifteen (15) calendar days of applicant's return to practice. Non-practice is defined as any period of time applicant is not practicing medicine in California as define[d] in Business and Professions Code sections 2051 and 2052 for at least forty (40) hours in a calendar month in direct patient care, clinical activity or teaching, or other activity as approved by the Board. All time spent in an intensive training program which has been approved by the Board or its designee shall not be considered non-practice. A Board-order[ed] suspension of practice shall not be considered as a period of non-practice.

Respondent shall obey all federal, state and local laws, all rules governing the practice of medicine in California and remain in full compliance with any court ordered criminal probation, payments, and other orders.

2. Based on the matters set forth in Factual Findings 3 through 27, respondent violated the Board's Decision and Order, Condition 10 – Non-Practice While on Probation, when he failed to practice in California for a period of more than two years. However, respondent's conduct was more confusion, disorganization, and failure to focus, than intentional malfeasance. Practice in California has become a necessity, because his minor children now live in California. If respondent firmly focuses on compliance with the Board's terms and conditions, he is capable of meeting his obligations; but respondent will not be given limitless opportunities to comply. He should take this opportunity as if it is his last.

3. Based on the matters set forth in Factual Findings 3, 4, 5, 16, and 17, respondent violated the Board's Decision and Order, Condition 7 – Quarterly Reports, when he failed to timely submit a Semi-Annual Declaration by January 10, 2017.

///

## ORDER

Physician's and Surgeon's Certificate No. C 128171 issued to respondent Joseph Parimal Gurralla, M.D. is REVOKED. However, the revocation is STAYED and respondent is placed on probation for three years, upon the terms and conditions as follows:

1. **Medical Record Keeping Course:** Within sixty (60) days of the effective date of this Decision, respondent shall enroll in a course in medical record keeping equivalent to the Medical Record Keeping Course offered by the Physicians Assessment and Clinical Education Program, University of California, San Diego School of Medicine (program), approved in advance by the Board or its designee. Respondent shall provide the Program with any information and documents that the Program may deem pertinent. Respondent shall participate in and successfully complete the classroom component of the course not later than six (6) months after respondent's initial enrollment. Respondent shall successfully complete any other component of the course within one (1) year of enrollment. The medical record keeping course shall be at the respondent's expense and shall be in addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

A medical record keeping course taken after the acts that gave rise to the charges in the Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board or its designee, be accepted towards the fulfillment of this condition if the course would have been approved by the Board or its designee had the course been taken after the effective date of this Decision.

Respondent shall submit a certification of successful completion to the Board or its designee not later than fifteen (15) calendar days after successfully completing the course, or not later than fifteen (15) calendar days after the effective date of the Decision, whichever is later.

2. **Psychotherapy:** Within sixty (60) calendar days of the effective date of this Decision, respondent shall submit to the Board or its designee for prior approval the name and qualifications of a California-licensed board-certified psychiatrist or a licensed psychologist who has a doctoral degree in psychology and at least five years of postgraduate experience in the diagnosis and treatment of emotional and mental disorders. Upon approval, respondent shall undergo and continue psychotherapy treatment, including any modifications to the frequency of psychotherapy, until the Board or its designee deems that no further psychotherapy is necessary.

The psychotherapist shall consider any information provided by the Board or its designee and any other information the psychotherapist deems relevant and shall furnish a written evaluation report to the Board or its designee. Respondent shall cooperate in providing the psychotherapist any information and documents that the psychotherapist may deem pertinent.

Respondent shall have the treating psychotherapist submit quarterly status reports to the Board or its designee. The Board or its designee may require respondent to undergo psychiatric evaluation by a Board-appointed board certified psychiatrist. If, prior to the

completion of probation, respondent is found to be mentally unfit to resume the practice of medicine without restrictions; the Board shall retain continuing jurisdiction over respondent's license and the period of probation shall be extended until the Board determines the respondent is mentally fit to resume the practice of medicine without restrictions.

Respondent shall pay the cost of all psychotherapy and psychiatric evaluations.

3. **Notification:** Prior to engaging in the practice of medicine, respondent shall provide a true copy of this Decision and Petition to Revoke Probation to the Chief of Staff or the Chief Executive Officer at every hospital where privileges or membership are extended to respondent, at any other facility where respondent engages in the practice of medicine, including all physician and locum tenens registries or other similar agencies, and to the Chief Executive Officer at every insurance carrier which extends malpractice insurance coverage to respondent. Respondent shall submit proof of compliance to the Board or its designee within fifteen (15) calendar days.

This condition shall apply to any change(s) in hospitals, other facilities or insurance carrier.

4. **Supervision of Physician Assistants:** During probation, respondent is prohibited from supervising physician assistants.

5. **Obey All Laws:** Respondent shall obey all federal, state and local laws, all rules governing the practice of medicine in California and remain in full compliance with any court ordered criminal probation, payments, and other orders.

6. **Quarterly Declarations:** Respondent shall submit quarterly declarations under penalty of perjury on forms provided by the Board, stating whether there has been compliance with all the conditions of probation. Respondent shall submit quarterly declarations not later than ten (10) calendar days after the end of the preceding quarter.

7. **General Probation Requirements:** Respondent shall comply with the Board's probation unit and all terms and conditions of this Decision.

a. **Address Changes:** Respondent shall, at all times, keep the Board informed of respondent's business and residence addresses, email address (if available), and telephone number. Changes of such addresses shall be immediately communicated in writing to the Board or its designee. Under no circumstances shall a post office box serve as an address of record, except as allowed by Business and Professions Code section 2021(b).

b. **Place of Practice:** Respondent shall not engage in the practice of medicine in his or any patient's place of residence, unless the patient resides in a skilled nursing facility or other similar licensed facility.

c. **License Renewal:** Respondent shall maintain a current and renewed California physician's and surgeon's license.

d. **Travel or Residence Outside California:** Respondent shall immediately inform the Board or its designee, in writing, of travel to any areas outside the jurisdiction of California which lasts, or is contemplated to last, more than thirty (30) calendar days.

In the event respondent should leave the State of California to reside or to practice, respondent shall notify the Board or its designee in writing 30 calendar days prior to the dates of departure and return.

8. **Interview with the Board or its Designee:** Respondent shall be available in person upon request for interviews either at respondent's place of business or at the probation unit office, with or without prior notice throughout the term of probation.

9. **Non-practice While on Probation:** Respondent shall notify the Board or its designee in writing within fifteen (15) calendar days of any periods of non-practice lasting more than thirty (30) calendar days and within fifteen (15) calendar days of respondent's return to practice. Non-practice is defined as any period of time respondent is not practicing medicine in California as defined in Business and Professions Code sections 2051 and 2052 for at least forty (40) hours in a calendar month in direct patient care, clinical activity or teaching, or other activity as approved by the Board. All time spent in an intensive training program which has been approved by the Board or its designee shall not be considered non-practice. Practicing medicine in another state of the United States or federal jurisdiction while on probation with the medical licensing authority of that state or jurisdiction shall not be considered non-practice. A Board-ordered suspension of practice shall not be considered as a period of non-practice.

In the event respondent's period of non-practice while on probation exceeds eighteen (18) calendar months, respondent shall successfully complete a clinical training program that meets the criteria of Condition 18 of the current version of the Board's "Manual of Model Disciplinary Orders and Disciplinary Guidelines" prior to resuming the practice of medicine.

Respondent's period of non-practice while on probation shall not exceed two (2) years.

Periods of non-practice will not apply to the reduction of the probationary term.

Periods of non-practice will relieve respondent of the responsibility to comply with the probationary terms and conditions with the exception of this condition and the following terms and conditions of probation: Obey All Laws and General Probation Requirements.

10. **Completion of Probation:** Respondent shall comply with all financial obligations (e.g., restitution, probation costs) not later than 120 calendar days prior to the

completion of probation. Upon successful completion of probation, respondent's certificate shall be fully restored.

11. **Violation of Probation:** Failure to fully comply with any term or condition of probation is a violation of probation. If respondent violates probation in any respect, the Board, after giving petitioner notice and the opportunity to be heard, may revoke probation and carry out the disciplinary order that was stayed. If an Accusation or Petition to Revoke Probation is filed against petitioner during probation, the Board shall have continuing jurisdiction until the matter is final, and the period of probation shall be extended until the matter is final.

12. **License Surrender:** Following the effective date of this Decision, if respondent ceases practicing due to retirement or health reasons or is otherwise unable to satisfy the terms and conditions of probation, respondent may request to surrender his license. The Board reserves the right to evaluate respondent's request and to exercise its discretion in determining whether or not to grant the request, or to take any other action deemed appropriate and reasonable under the circumstances. Upon formal acceptance of the surrender, respondent shall within fifteen (15) calendar days deliver respondent's wallet and wall certificate to the Board or its designee and respondent shall no longer practice medicine. Respondent will no longer be subject to the terms and conditions of probation. If respondent re-applies for a medical license, the application shall be treated as a petition for reinstatement of a revoked certificate.

13. **Probation Monitoring Costs:** Respondent shall pay the costs associated with probation monitoring each and every year of probation, as designated by the Board, which may be adjusted on an annual basis. Such costs shall be payable to the Medical Board of California and delivered to the Board or its designee no later than January 31 of each calendar year.

14. **Clinical Competence Assessment Program:** Within sixty (60) calendar days of the effective date of this Decision, respondent shall enroll in a clinical competence assessment program approved in advance by the Board or its designee. Respondent shall successfully complete the program not later than six (6) months after respondent's initial enrollment unless the Board or its designee agrees in writing to an extension of that time.

The program shall consist of a comprehensive assessment of respondent's physical and mental health and the six general domains of clinical competence as defined by the Accreditation Council on Graduate Medical Education and American Board of Medical Specialties pertaining to respondent's current or intended area of practice. The program shall take into account data obtained from the pre-assessment, self-report forms and interview, and the Decision(s), Accusation (s), and any other information that the Board or its designee deems relevant. The program shall require respondent's on-site participation for a minimum of 3 and no more than 5 days as determined by the program for the assessment and clinical education evaluation. Respondent shall pay all expenses associated with the clinical

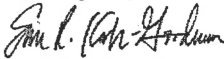
education evaluation. Respondent shall pay all expenses associated with the clinical competence assessment program.

At the end of the evaluation, the program will submit a report to the Board or its designee which unequivocally states whether the respondent has demonstrated the ability to practice safely and independently. Based on respondent's performance on the clinical competence assessment, the program will advise the Board or its designee of its recommendation(s) for the scope and length of any additional educational or clinical training, evaluation or treatment for any medical condition or psychological condition, or anything else affecting respondent's practice of medicine. Respondent shall comply with the program's recommendations.

Determination as to whether respondent successfully completed the clinical competence assessment program is solely within the program's jurisdiction.

Respondent shall not practice medicine until respondent has successfully completed the program and has been so notified by the Board of its designee in writing.

Dated: January 29, 2018

DocuSigned by:  
  
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ERIN R. KOCH-GOODMAN  
Administrative Law Judge  
Office of Administrative Hearings

**VIRGINIA:**

**BEFORE THE BOARD OF MEDICINE**

**IN RE:       JOSEPH GURRALA, M.D.**  
**License No.: 0101-242248**

**AMENDED ORDER**

In accordance with Sections 54.1-2400(10), 2.2-4019 and 2.2-4021 of the Code of Virginia (1950), as amended ("Code"), an informal conference was held with Joseph Gurralla, M.D., in Henrico, Virginia on August 9, 2012. Members of the Virginia Board of Medicine ("Board") serving on the Special Conference Committee ("Committee") were: Stuart Mackler, M.D., Chair; William Epstein, M.D.; and J. Randolph Clements, D.P.M. Dr. Gurralla appeared personally and was represented by Edward A. Gonsalves, Esquire. Julia K. Bennett, Adjudication Specialist, was present as a representative for the Administrative Proceedings Division of the Department of Health Professions.

The purpose of the informal conference was to receive and act upon evidence that Dr. Gurralla may have violated certain laws and regulations governing the practice of medicine and surgery in the Commonwealth of Virginia, as set forth in a Notice of Informal Conference dated June 26, 2012.

Following entry of the Board's Order on August 13, 2012, by letter dated September 13, 2012, counsel for Dr. Gurralla requested modification of Finding of Fact 5. This Amended Order has been entered *nunc pro tunc* to reflect the approved changes.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

Now, having properly considered the evidence and statements presented, the Committee makes the following Findings of Fact and Conclusions of Law in this matter:



1. Joseph Gurralla, M.D., was issued license number 0101-242248 by the Board to practice medicine and surgery in the Commonwealth of Virginia on July 25, 2007. Said license is currently active and will expire on June 30, 2014, unless renewed or restricted.

2. Dr. Gurralla violated Sections 54.1-2914.A, 54.1-2915.A(17) and (18), and 54.1-111.A(1) and (4) of the Code in that, from approximately April 2010 to February 3, 2011, he maintained in his Herndon, Virginia practice and dispensed to patients controlled substances without holding a valid pharmacy license, as required by Section 54.1-3302 of the Code. Such dispensing included phentermine (Schedule IV), zolpidem tartrate (Schedule IV), and/or bupropion HCL (Schedule VI) provided to Patient A on or about September 17, 2010 and October 1, 2010.

3. Dr. Gurralla acknowledged dispensing without a license, but states he did not intentionally do so. He explained he had relied upon the assurances of his employer that he was able to dispense because he held a valid medical license and DEA registration. It was not until Patient A complained that he again discussed the issue with his employer, and was again assured there was not a problem, since his employer informed him he was not dispensing but rather was "sampling" (i.e., dispensing sample medications to patients). Dr. Gurralla stated that in the future he will personally validate any recommendations made by his employer.

4. Pursuant to an application filed on or about April 23, 2010, the Board of Pharmacy issued Dr. Gurralla license #0213-001499 to sell/dispense controlled substances on or about February 4, 2011.

5. Dr. Gurralla violated Sections 54.1-2915.A(12) and (18) of the Code, and 18 VAC 85-20-26.C and 18 VAC 85-20-40.A of the Board of Medicine General Regulations, in that, on multiple visits during September and October 2010, he failed to adequately document in Patient A's medical record his rationale for administering injections and dispensing tablets containing vitamins, minerals or other supplements.

6. Dr. Gurralla pointed out that Patient A's record included a relatively detailed informed consent, which he believed covered the risks related to the vitamin supplementation injections. He explained that the standard software used by this company does not really allow him to capture his clinical findings and impressions for each patient encounter. Since this event, he has spoken with his employer about updating the software to allow the electronic medical record to better capture his patient encounters.

7. The Committee appreciated Dr. Gurralla's understanding of the allegations and his willingness to seek corrective measures in the practice in order to provide good patient care.

### ORDER

WHEREFORE, based on the foregoing Findings of Fact and Conclusions of Law, it is hereby ORDERED that Dr. Gurralla is issued a REPRIMAND.

Pursuant to Sections 2.2-4023 and 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

Pursuant to Sections 54.1-2400(10) of the Code, Dr. Gurrula may, not later than 5:00 p.m., on September 18, 2012, notify William L. Harp, M.D., Executive Director, Board of Medicine, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that he desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

Therefore, this Order shall become final on September 18, 2012; unless a request for a formal administrative hearing is received as described above.

FOR THE BOARD

A handwritten signature in blue ink, appearing to read "W L Harp MD", is written over a horizontal line.

William L. Harp, M.D.  
Executive Director  
Virginia Board of Medicine

ENTERED: 9/25/12  
*Nunc Pro Tunc: August 13, 2012*



# COMMONWEALTH of VIRGINIA

Dianne L. Reynolds-Cane, M.D.  
Director

## *Department of Health Professions*

Perimeter Center  
9960 Mayland Drive, Suite 300  
Henrico, Virginia 23233-1463

www.dhp.virginia.gov  
TEL (804) 367- 4400  
FAX (804) 527- 4475

June 26, 2012

Joseph Gurralla, M.D.  
12406 Brown Fox Way  
Reston, Virginia 20191

### **CERTIFIED MAIL**

7196 9008 9111 0155 6245

RE: License No.: 0101-242248

Dear Dr. Gurralla:

This letter is official notification that an informal conference of the Virginia Board of Medicine ("Board") will be held on **Thursday, August 9, 2012, at 10:30 a.m., at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 200, Henrico, Virginia.** The conference will be conducted pursuant to Sections 54.1-2400(10), 2.2-4019 and 2.2-4021 of the Code of Virginia (1950), as amended ("Code").

A Special Conference Committee ("Committee") will inquire into allegations that you may have violated certain laws and regulations governing the practice of medicine and surgery in Virginia. Specifically:

1. You may have violated Sections 54.1-2914.A, 54.1-2915.A(3), (13), (16), (17), and (18), and 54.1-111.A(1) and (4) of the Code in that, from approximately April 2010 to February 4, 2011, you maintained in your Herndon, Virginia practice and dispensed to patients controlled substances without holding a valid pharmacy license, as required by Section 54.1-3302 of the Code. Such dispensing included phentermine (Schedule IV), zolpidem tartrate (Schedule IV), and/or bupropion HCL (Schedule VI) provided to Patient A on or about September 17, 2010 and October 1, 2010.

2. You may have violated Sections 54.1-2915.A(3), (12), (13), (16), and (18) of the Code, and 18 VAC 85-20-26.C and 18 VAC 85-20-40.A of the Board of Medicine General Regulations, in that, on multiple visits during September and October 1, 2010, you failed to adequately document in Patient A's medical record your rationale for administering injections and dispensing tablets containing vitamins, minerals or other supplements.

Please see Attachment I for the name of the patient referenced above.

After consideration of all information, the Committee may:

1. Exonerate you;
2. Place you on probation with such terms it deems appropriate;
3. Reprimand you; and
4. Impose a monetary penalty pursuant to Section 54.1-2401 of the Code.

Further, the Committee may refer this matter for a formal administrative proceeding when it has failed to dispose of a case by consent pursuant to Section 2.2-4019 of the Code.

You have the right to information that will be relied upon by the Committee in making a decision. Therefore, I enclose a copy of the documents that will be distributed to the Committee for its consideration when discussing the allegations with you and when deliberating upon your case. These documents are enclosed only with the original notice sent by certified mail, and must be claimed at the post office. These materials have been provided this date to your counsel, Edward Gonsalves, Esquire.

To facilitate this proceeding, you must submit eight (8) copies of any documents you wish for the Committee to consider to Reneé S. Dixon, Discipline Case Manager, Virginia Board of Medicine, 9960 Mayland Drive, Suite 300, Henrico, Virginia, 23233, by **July 19, 2012**. Your documents may not be submitted by facsimile or e-mail. Should you or Adjudication Specialist Julia K. Bennett wish to submit any documents for the Committee's consideration after **July 19, 2012**, such documents shall be considered only upon a ruling by the Chair of the Committee that good cause has been shown for late submission.

A request to continue this proceeding must state **in detail** the reason for the request and must establish good cause. Such request must be made, in writing, to me at the address listed on this letter and must be received by **July 10, 2012**. Only one such motion will be considered. Absent exigent circumstances, such as personal or family illness, a request for a continuance after **July 10, 2012**, will not be considered.

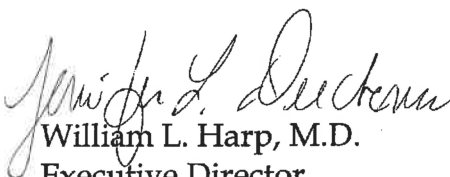
Relevant sections of the Administrative Process Act, which govern proceedings of this nature, as well as laws relating to the practice of medicine and other healing arts in Virginia cited in this notice can be found on the Internet at <http://leg1.state.va.us>. To access this information, please click on the *Code of Virginia* for statutes and *Virginia Administrative Code* for regulations.

In its deliberations, the Committee may utilize the Sanction Reference Points System, as contained in the Sanction Reference Manual. The manual, which is a guidance document of the Board, may be accessed at <http://www.dhp.virginia.gov/medicine>. You may request a paper copy from the Board office by calling (804) 367-4513.

Please advise the Board, in writing, of your intention to be present. Should you fail to appear at the informal conference, the Board may proceed to a formal administrative hearing in order to impose sanctions.

If you have any questions regarding this notice, please contact Julia K. Bennett, Adjudication Specialist, at (804) 367-4427.

Sincerely,

*for*   
William L. Harp, M.D.  
Executive Director  
Virginia Board of Medicine

Enclosures:

Attachment I  
Informal Conference Package (1 volume)  
Map

cc: Julia K. Bennett, Adjudication Specialist, APD  
Lorraine McGehee, Deputy Director, APD  
Enforcement Division (136678)  
Edward Gonsalves, Esquire (*w/enclosures*)



# COMMONWEALTH of VIRGINIA

Dianne L. Reynolds-Cane, M.D.  
Director

## *Department of Health Professions*

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TEL (804) 367- 4400  
FAX (804) 527- 4475

February 7, 2012

Joseph P. Gurralla, M.D.  
12406 Brown Fox Way  
Reston, Virginia 20191

RE: License No.: 0101-242248

Dear Dr. Gurralla:

The Virginia Board of Medicine ("Board") has received verification of your compliance with the terms and conditions of the Board Order entered May 12, 2011. Therefore, pursuant to the authority granted to me, I have determined that the terms and conditions imposed on your license should be TERMINATED effective this date.

Our records have been updated to reflect that you have a full and unrestricted license to practice medicine and surgery in the Commonwealth of Virginia.

Pursuant to §54.1-2400.2 of the *Code of Virginia*, a signed copy of this letter shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

The Board wishes you well in your future endeavors.

Sincerely,

A handwritten signature in black ink, appearing to read "William L. Harp" followed by a stylized monogram.

William L. Harp, M.D.  
Executive Director  
Virginia Board of Medicine

cc: Susan Brooks, Office Manager, APD [127515]

**VIRGINIA:**

**BEFORE THE BOARD OF MEDICINE**

**IN RE:       JOSEPH PARIMAL GURRALA, M.D.**  
**License No.: 0101-242248**

**ORDER**

In accordance with Sections 54.1-2400(10), 2.2-4019 and 2.2-4021 of the Code of Virginia (1950), as amended ("Code"), an informal conference was held with Joseph Parimal Gurralla, M.D., on May 5, 2011, in Henrico, Virginia. Members of the Virginia Board of Medicine ("Board") serving on the Special Conference Committee ("Committee") were: Stuart F. Mackler, M.D., Chairman; Sandra Anderson Bell, M.D.; and Gopinath Jadhav, M.D. Dr. Gurralla appeared personally and was represented by legal counsel, Edward A. Gonsalves, Esquire. Virginia Scher, Adjudication Specialist, was present as a representative for the Administrative Proceedings Division of the Department of Health Professions.

The purpose of the informal conference was to inquire into allegations that Dr. Gurralla may have violated certain laws and regulations governing the practice of medicine in the Commonwealth of Virginia, as set forth in a Notice of Informal Conference dated March 7, 2011.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

Now, having properly considered the evidence and statements presented, the Committee makes the following Findings of Fact and Conclusions of Law:

1. Joseph Parimal Gurralla, M.D., was issued license number 0101-242248 to practice medicine in Virginia on July 25, 2007. Said license is currently active and will expire on June 30, 2012, unless renewed or acted upon.



2. Dr. Gurralla violated Sections 54.1-2915.A(1), (3), (12), (13), (16) and (18) of the Code, and 18VAC85-20-26.D of the Board of Medicine General Regulations, in that, from approximately March to June 2007, while in a residency training program, he provided psychotherapy and medication management to Patient A outside of the residency program's supervision, and took payments directly from the patient outside of the established clinical billing procedures. Further, Dr. Gurralla failed to maintain a record of numerous encounters with the patient and, in July 2007, when asked to produce the patient's record, he created and backdated records and presented them to his supervisor as contemporaneous documentation.

3. Despite a prior verbal warning from the director of residency training in regard to his patient documentation, Dr. Gurralla failed to keep records of his treatment of Patient A.

4. Dr. Gurralla violated Sections 54.1-2915.A(1), (16) and (18) and 54.1-111.A(6) and (8) of the Code in that, on or about September 30, 2007, he submitted an application for licensure to the District of Columbia Board of Medicine on which he misrepresented the circumstances under which he resigned from his residency training program in July 2007.

5. Dr. Gurralla violated Sections 54.1-2915.A(1), (16) and (18) of the Code, and 18VAC85-20-300.B of the Board of Medicine General Regulations, in that, on or about August 28, 2007, he provided false information to the Virginia Board for the physician profile system related to his graduate medical education, practice areas, and honors and awards.

6. On May 5, 2009, Dr. Gurralla completed the Medical Society of Virginia's Management of Medical Records Seminar.

7. Dr. Gurralla stated that from this experience he has learned he needs to be more upfront about his mistakes. He stated he understands the gravity of the mistakes he made, and

realizes how important honesty and integrity are to the practice of medicine. Finally, Dr. Gurralla noted he has had no billing or recordkeeping issues since this event occurred.

**ORDER**

WHEREFORE, based on the above Findings of Fact and Conclusions of Law, it is hereby ORDERED that Joseph Parimal Gurralla, M.D., be, and hereby is, issued a REPRIMAND.

It is further ORDERED that Dr. Gurralla shall pay a MONETARY PENALTY in the amount of ONE THOUSAND DOLLARS (\$1,000.00). Said monetary penalty shall be paid to the Board within forty-five (45) days from entry of this Order.

It is further ORDERED that Dr. Gurralla's license is subject to the following terms and conditions:

Within twelve (12) months from entry of this Order, Dr. Gurralla shall submit evidence satisfactory to the Board verifying that he has completed eight (8) hours of Board-approved continuing medical education ("CME") in the subject of professional ethics. Such CME shall be approved in advance of registration by the Executive Director of the Board, and shall be completed through face-to-face, interactive sessions (i.e., no home study, journal, or Internet courses). Any CME hours obtained in compliance with this term shall not be used toward compliance with the Board's continuing education requirements for license renewal.

Upon receipt of evidence that Dr. Gurralla has complied with the requirements of this Order, the Committee authorizes the Executive Director to close this matter, or refer it to a special conference committee for review.

Violation of this Order may constitute grounds for suspension or revocation of Dr. Gurralla's license. In the event that Dr. Gurralla violates this Order, an administrative





3. You may have violated Sections 54.1-2915.A(1), (16) and (18) of the Code, and 18VAC85-20-300.B of the Board's General Regulations, in that, on or about August 28, 2007, you provided false information to the Virginia Board for the physician profile system related to your graduate medical education, practice areas, and honors and awards.

Please see Attachment I for the name of the patient referenced above.

After consideration of all information, the Committee may:

1. Exonerate you;
2. Place you on probation with such terms it deems appropriate;
3. Reprimand you; and
4. Impose a monetary penalty pursuant to Section 54.1-2401 of the Code.

Further, the Committee may refer this matter for a formal administrative proceeding when it has failed to dispose of a case by consent pursuant to Section 2.2-4019 of the Code.

You have the right to information that will be relied upon by the Committee in making a decision. Therefore, I enclose a copy of the documents that will be distributed to the Committee for its consideration when discussing the allegations with you and when deliberating upon your case. These documents are enclosed only with the original notice sent by certified mail, and must be claimed at the post office. These materials have been provided this date to your counsel, Edward A. Gonzales, Esquire.

To facilitate this proceeding, you must submit eight (8) copies of any documents you wish for the Committee to consider to Reneé S. Dixon, Discipline Case Manager, Virginia Board of Medicine, 9960 Mayland Drive, Suite 300, Henrico, Virginia, 23233, by **April 11, 2011**. Your documents may not be submitted by facsimile or e-mail. Should you or Adjudication Specialist Virginia Scher wish to submit any documents for the Committee's consideration after **April 11, 2011**, such documents shall be considered only upon a ruling by the Chair of the Committee that good cause has been shown for late submission.

Absent good cause to support a request for a continuance, the informal conference will be held on May 5, 2011. A request to continue this proceeding must state **in detail** the reason for the request and must establish good cause. Such request must be made, in writing, to me at the address listed on this letter and must be received by **March 21, 2011**. Only one such motion will be considered. Absent exigent circumstances, such as personal or family illness, a request for a continuance after **March 21, 2011**, will not be considered.

Relevant sections of the Administrative Process Act, which govern proceedings of this nature, as well as laws relating to the practice of medicine and other healing arts in Virginia cited in this notice can be found on the Internet at <http://leg1.state.va.us>. To access this

