

VIRGINIA:

BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS

IN RE: SRIDHAR YARATHA, M.D.
License No.: 0101-236397


ORDER

In accordance with Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), I, Robert A. Nebiker, Director of the Virginia Department of Health Professions, received and acted upon evidence that the license of Sridhar Yaratha, M.D., to practice medicine in the State of Iowa was indefinitely suspended by Settlement Agreement and Final Order entered October 7, 2004. A certified copy of the Settlement Agreement and Final Order is attached to this Order and is marked as Commonwealth's Exhibit No. 1.

WHEREFORE, by the authority vested in the Director of the Department of Health Professions pursuant to Section 54.1-2409 of the Code, it is hereby ORDERED that the license of Sridhar Yaratha, M.D., to practice medicine and surgery in the Commonwealth of Virginia be, and hereby is, SUSPENDED.

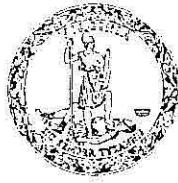
Upon entry of this Order, the license of Sridhar Yaratha, M.D., will be recorded as suspended and no longer current. Should Dr. Yaratha seek reinstatement of his license pursuant to Section 54.1-2409 of the Code, he shall be responsible for any fees that may be required for the reinstatement and renewal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

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.



Robert A. Nebiker, Director
Department of Health Professions

ENTERED: June 20, 2005



COMMONWEALTH of VIRGINIA

Robert A. Nebiker
Director

Department of Health Professions
6603 West Broad Street, 5th Floor
Richmond, Virginia 23230-1712

www.dhp.virginia.gov
TEL (804) 662-9900
FAX (804) 662-9943
TDD (804) 662-7197

CERTIFICATION OF DUPLICATE RECORDS

I, Robert A. Nebiker, Director of the Department of Health Professions, hereby certify that the attached Settlement Agreement and Final Order entered October 7, 2004, regarding Sridhar Yaratha., M.D., are true copies of the records received from the Board of Medical Examiners of the State of Iowa.

A handwritten signature of Robert A. Nebiker in black ink, written over a horizontal line.

Date: June 20, 2005

Robert A. Nebiker

BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF IOWA

IN THE MATTER OF A STATEMENT OF CHARGES AGAINST

SRIDHAR YARATHA, M.D., RESPONDENT

File Nos.02-03-770 & 02-03-354

.....

STATEMENT OF CHARGES,

**SETTLEMENT AGREEMENT and FINAL ORDER
(combined)**

COMES NOW the Iowa Board of Medical Examiners (the Board), and
Sridhar Yaratha, M.D. (Respondent), on October 7, 2004, and pursuant to Iowa Code
sections 17A.10(2) and 272C.3(4), enter into the following combined Statement of Charges,
Settlement Agreement and Final Order.

STATEMENT OF CHARGES

1. Respondent was issued license number 34260 to practice medicine and surgery
in Iowa on July 25, 2001.
2. Respondent's Iowa medical license is current and will next expire on
November 1, 2005.
3. The Board has jurisdiction in this matter pursuant to Iowa Code Chapters 147,
148 and 272C.



COUNT I

4. Respondent is charged pursuant to Iowa Code section 148.6(2)(i) (2003) and 653 IAC 12.3(7) and 12.4(34) with the willful or repeated violation of a lawful rule or regulation of the Board and/or failure to comply with a lawful order of the Board when he failed to comply with an Evaluation Order issued by the Board.

COUNT II

5. Respondent is charged under section 148.6(2)(d) of the 2001 Code of Iowa with being disciplined by the medical licensing authority of another state.

COUNT III

6. Respondent, a psychiatrist, is charged under Iowa Code section 147.55(3) (2003) and 653 IAC sections 12.4(3) and 12.4(36) with engaging in unethical or unprofessional conduct and/or practice harmful or detrimental to the public when he engaged in an inappropriate sexual relationship with a psychiatric patient in violation of appropriate physician-patient boundaries.

CIRCUMSTANCES

7. On or about March 12, 2003, Respondent reported a potential substance abuse impairment to the Iowa Physician Health Program (IPHP). Respondent reported that he had been arrested for Driving Under the Influence of Drugs or Alcohol on November 20, 2002.

8. On or about April 22, 2003, Respondent entered into an Initial Agreement with the IPHP and he agreed to comply with the terms and conditions established in the Initial Agreement.

9. On or about October 31, 2003, the IPHP voted to refer Respondent to the Board for consideration after concluding that Respondent failed to comply with the terms of the Initial Agreement, including but not limited to the following:

- A. Respondent failed to sign and return a Monitoring Agreement to the IPHP in a timely manner in violation of the terms of the Initial Agreement;
- B. Respondent consumed alcohol in violation of the terms of the Initial Agreement; and
- C. Respondent failed to submit to urine analysis drug tests when required to do so in violation of the terms of the Initial Agreement.

10. On December 10, 2003, based on the information above, and pursuant to the provisions of Iowa Code section 148.6(2)(h)(2003), the Board issued an Evaluation Order directing that Respondent successfully complete a comprehensive physical, neuropsychological and substance abuse evaluation under the direction of Professional Recovery Network, (PRN), Waukesha, Wisconsin, within 30 days and cause a copy of the report of said evaluation to be forwarded to the Board directly from the evaluation program upon completion of the evaluation.

11. Respondent failed to complete the comprehensive physical, neuropsychological and substance abuse evaluation in violation of the December 10, 2003, Evaluation Order.

12. On August 19, 2004, Respondent entered into a Consent Order with the West Virginia Board of Medicine. A complaint was filed by a former psychiatric patient against Respondent alleging Respondent engaged in unprofessional conduct. Respondent voluntarily

surrendered his West Virginia medical license to resolve the pending investigation and he agreed not to apply for a West Virginia medical license at any time in the future.

13. Respondent, a psychiatrist, inappropriately engaged in a sexual and/or romantic relationship with a patient.

SETTLEMENT AGREEMENT

14. **CITATION AND WARNING:** Respondent is hereby **CITED** for violating a lawful order of the Board, for being disciplined by the licensing authority of another state and for inappropriately engaging in a sexual and/or romantic relationship with a patient in violation of professional physician-patient boundaries. Respondent is hereby **WARNED** that such conduct in the future may result in further disciplinary action, including revocation of your Iowa medical license.

15. **CIVIL PENALTY:** Respondent shall be assessed a civil penalty in the amount of **\$10,000**. The civil penalty shall be made payable to the Treasurer of Iowa, and mailed to the executive director of the Board. The civil penalty shall be deposited into the State General Fund.

16. **INDEFINITE SUSPENSION:** Immediately upon the Board's approval of this Settlement Agreement and Final Order, Respondent's Iowa medical license shall be **indefinitely suspended**. Respondent voluntarily discontinued the practice of medicine under his Iowa medical license from September 23, 2003, to the present. The Board will not consider reinstatement of Respondent's Iowa medical license for **at least nine (9) months** from the date of this Order.

17. **APPLICATION FOR REINSTATEMENT:** The Board will consider reinstatement of Respondent's Iowa medical license only upon submission of an Application for Reinstatement and a reinstatement hearing pursuant to Iowa Code chapters 17A, 147, 148 and 272C and 653 IAC 12.40 or a Reinstatement Agreement.

A. **Comprehensive Physical, Neuropsychological and Substance Abuse Evaluation:** Prior to seeking reinstatement of his Iowa medical license, Respondent must successfully complete a Board-approved comprehensive physical, neuropsychological and substance abuse evaluation and submit a recommendation from the program that he is safe to practice medicine. Respondent shall fully comply with all recommendations of the Board-approved evaluation program.

B. **Comprehensive Sexual Misconduct Evaluation:** Prior to seeking reinstatement of his Iowa medical license, Respondent must successfully complete a comprehensive sexual misconduct evaluation at Behavioral Medicine Institute (BMI) in Atlanta, Georgia, and submit a recommendation that he is safe to practice medicine. Respondent shall fully comply with all recommendations made by BMI.

18. This combined Statement of Charges, Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.

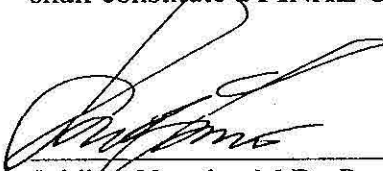
19. By entering into this combined Statement of Charges, Settlement Agreement and Final Order, the Respondent voluntarily waives any rights to a contested case hearing on

the allegations contained in the Statement of Charges, and waives any objections to the terms of this Settlement Agreement.

20. This combined Statement of Charges, Settlement Agreement and Final Order, is voluntarily submitted by Respondent to the Board for consideration.

21. This combined Statement of Charges, Settlement Agreement and Final Order, is subject to approval of the Board. If the Board fails to approve this Order, it shall be of no force or effect to either party.

22. The Board's approval of this Statement of Charges and Settlement agreement shall constitute a **FINAL ORDER** of the Board.



Sridhar Yaratha, M.D., Respondent

Acknowledged before me
this 24th of Sept 2004
Kimberly H. Caldwell (Notary)
My commission expires
8-12-2008

Subscribed and sworn to before me on 24th of Sept., 2004.

Notary Public, State of North Carolina.

This combined Statement of Charges, Settlement Agreement and Final Order is approved by the Board on October 7, 2004.


Bruce L. Hughes, M.D., Chairperson
Iowa Board of Medical Examiners
400 SW 8th Street, Suite C
Des Moines, IA 50309-4686



COMMONWEALTH of VIRGINIA

Robert A. Nebiker
Director

Department of Health Professions
6603 West Broad Street, 5th Floor
Richmond, Virginia 23230-1712

www.dhp.virginia.gov
TEL (804) 662-9900
FAX (804) 662-9943
TDD (804) 662-7197

January 18, 2006

Sridhar Yaratha, M.D.
P.O. Box 1217
Marion, Virginia 24354

RE: License No.: 0101-236397

CERTIFIED MAIL

Certified Article Number

7160 3901 9848 3153 8356

SENDER'S RECORD

Dear Dr. Yaratha:

In accordance with Sections 54.1-105, 54.1-110, 54.1-2400, 2.2-4020 and 2.2-4021 of the Code of Virginia (1950), as amended ("Code"), you are hereby given notice that the Virginia Board of Medicine ("Board") will convene a formal administrative hearing to consider the reinstatement of your license to practice medicine in the Commonwealth of Virginia, which was mandatorily suspended by Order of the Department of Health Professions, entered June 20, 2005, pursuant to Section 54.1-2409 of the Va. Code. This action was due to the indefinite suspension of your license to practice medicine in the State of Iowa, by Settlement Agreement and Final Order of the Board of Medical Examiners of the State of Iowa, entered October 7, 2004.

Pursuant to Section 54.1-2409 of the Code, reinstatement of your license shall require the affirmative vote of three-fourths of the members of the Board present at the hearing. Please be advised that upon the introduction of evidence relating to your competency and fitness to practice medicine, the Board will also consider evidence that you may be in violation of certain laws governing the practice of medicine in Virginia, as set forth in the attached Statement of Particulars.

The formal administrative hearing will be held in accordance with the provisions of Sections 54.1-2400(11) and 2.2-4024.F of the Code, before a panel of the Board, with a member of the Board presiding. You have been scheduled to appear before the Board on **February 23-25, 2006, in the offices of the Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia.** You will receive written notice at a later date regarding the specific date and time of your formal hearing. A map is enclosed for your convenience. Your presence is required thirty (30) minutes in advance of the appointed time. Please report to the 5th floor receptionist, who will direct you to a waiting room. Please be seated in the waiting room and you will be called when the Board is ready to meet with you.

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

You have the following rights, among others: to be accompanied by and represented by counsel, to submit oral and documentary evidence and rebuttal proofs, to conduct such cross-examination as may elicit a full and fair disclosure of the facts, and to have the proceedings completed and a decision made with dispatch. Should you wish to subpoena witnesses, requests for subpoenas must be made, in writing, in accordance with the enclosed Instructions for Requesting Subpoenas.

Please carefully read the following paragraphs, which contain date -sensitive and important information regarding this proceeding.

COMMONWEALTH'S EVIDENCE

You have the right to the information that will be used by the Board in reaching a decision regarding this matter; therefore, I enclose the Commonwealth's evidence. Please note that these documents are enclosed only with the original notice sent by certified mail and must be claimed at the post office. Also, copies of these materials have also been provided to your counsel, Michael L. Goodman, Esquire. If you have any questions or objections regarding the content of this package, you must contact Assistant Attorney General James E. Schliessmann at (804) 786-6569. Should you wish to file any objections to the Commonwealth's evidence, you must file your objections in writing, addressed to me at the Board office, no later than **January 30, 2006**. If you have not filed any objections by January 30, 2006, the exhibits will be distributed to the Board members for their consideration when discussing the allegations with you and when deliberating upon your case. If you do file objections, the Commonwealth has until **February 2, 2006**, to file a response to the objections, in writing and addressed to me at the Board office. The chairperson of the proceeding will rule on the motion.

RESPONDENT'S EVIDENCE

Should you wish for the Board to consider additional information relative to this proceeding, you must submit fifteen (15) copies of any such documents to Reneé S. Dixon, Discipline Case Manager, Virginia Board of Medicine, 6603 West Broad Street, 5th Floor, Richmond, Virginia 23230, by **January 31, 2006**. You may not submit your documents by facsimile or e-mail. The Commonwealth must file any objections to your submissions in writing, addressed to me at the Board office, no later than **February 3, 2006**. If no objections have been received by **February 3, 2006**, the evidence will be distributed to the Board members for their review, and will be considered by the Board as evidence when it deliberates upon your case. If the Commonwealth raises objections, you have until **February 7, 2006**, to file your response to the objections, in writing and addressed to me at the Board office. The chairperson of the proceeding will rule on the motion.

OTHER PRE-HEARING MOTIONS

If you or Assistant Attorney General James E. Schliessmann wish to make any pre-hearing motions regarding matters other than the exhibits, including offers of settlement, each

of you is directed to file motions, in writing, addressed to me at the Board office by **January 31, 2006**. Responses to motions filed must be submitted by **February 2, 2006**. The chairperson of the proceeding will rule on the motion.

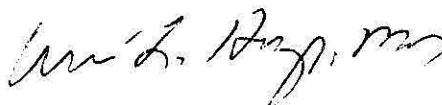
REQUEST FOR A CONTINUANCE

Absent exigent circumstances, such as personal or family illness, a request for a continuance after **January 30, 2006**, will not be considered. A motion for a continuance due to the unavailability of counsel will not be considered unless received by **January 30, 2006**.

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 at <http://leg1.state.va.us>. To access this information, please click on *Code of Virginia* for laws and *Virginia Administrative Code* for regulations.

Please indicate, by letter to this office, your intention to be present.

Sincerely,



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

SJR/Yaratha15NFH

Enclosures:

Commonwealth's Exhibits 1-5
Statement of Particulars
Instructions for Requesting Subpoenas
Map

cc: Thomas B. Leecost, D.P.M., President, Virginia Board of Medicine
Robert A. Nebiker, Director, Department of Health Professions
Renee S. Dixon, Discipline Case Manager, Board of Medicine
James E. Schliessmann, Assistant Attorney General [w/enclosures]
Sheon J. Rose, Adjudication Specialist
Lorraine McGehee, Deputy Director, APD
Michael Goodman, Esquire [w/enclosures]
Vicky Fox, Investigator [106015]
Peggy Call, Intervention Program Manager

VIRGINIA:

BEFORE THE BOARD OF MEDICINE

IN RE: SRIDHAR YARATHA, M.D.
License No.: 0101-236397

STATEMENT OF PARTICULARS

The Virginia Board of Medicine ("Board") alleges that:

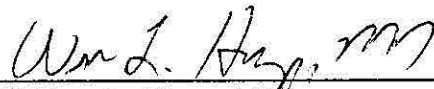
1. Dr. Yaratha may have violated Section 54.1-2915.A(5) [*formerly Section 54.1-2915(6)*] of the Code of Virginia (1950), as amended ("Code"), in that, on or about August 19, 2004, he entered into a Consent Order with the West Virginia Board of Medicine providing for the permanent surrender of his license to practice medicine in that jurisdiction, in lieu of an administrative hearing regarding alleged unprofessional conduct.

2. Dr. Yaratha may have violated Sections 54.1-2915.A(2) and (5) [*formerly Sections 54.1-2915(2) and (6)*] of the Code, in that, on or about October 7, 2004, he entered into a Settlement Agreement and Final Order with the Board of Medical Examiners of the State of Iowa ("Iowa Board") providing for the indefinite suspension of his license to practice medicine in that jurisdiction based, in part, on the following findings:

a. On or about March 12, 2003, following a November 20, 2002 arrest for Driving Under the Influence of Drugs or Alcohol, Dr. Yaratha self-reported a potential substance abuse impairment to the Iowa Physician Health Program ("IPHP") and entered into an Initial Agreement with IPHP on or about April 22, 2003. On or about October 31, 2003, the IPHP referred Dr. Yaratha to the Iowa Board for consideration based on his failure to comply with the conditions and terms of his Initial Agreement.

b. On or about December 10, 2003, the Iowa Board issued an Evaluation Order requiring Dr. Yaratha to successfully complete a comprehensive physical, neuropsychological and substance abuse evaluation within thirty (30) days. Dr. Yaratha failed to complete said evaluation.

FOR THE BOARD



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

DATE: 1/18/06

VIRGINIA:

BEFORE THE BOARD OF MEDICINE

**IN RE: SRIDHAR YARATHA, M.D.
 License No.: 0101-236397**

ORDER

In accordance with the provisions of Sections 54.1-105, 54.1-110, 2.2-4020 and 2.2-4021 of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was convened before the Virginia Board of Medicine ("Board"), on February 23, 2004, in Richmond, Virginia, to consider Dr. Yaratha's petition for the reinstatement of his license to practice medicine and surgery in the Commonwealth of Virginia, which was mandatorily suspended by Order of the Department of Health Professions entered June 20, 2005, and to receive and act upon evidence that Dr. Yaratha may have violated certain laws governing the practice of medicine in the Commonwealth. These matters are set forth in the Board's Notice of Hearing and Statement of Particulars dated January 18, 2006.

Pursuant to Sections 2.2-4024.F and 54.1-2400(11) of the Code, the hearing was held before a panel of the Board with a member of the Board presiding. Howard M. Casway, Senior Assistant Attorney General, was present as legal counsel for the Board. The proceedings were recorded by a certified court reporter. The case was prosecuted by James E. Schliessmann, Assistant Attorney General, assisted by Sheon J. Rose, Adjudication Specialist. Dr. Yaratha appeared at the formal administrative hearing and was represented by legal counsel, Michael L. Goodman, Esquire.

FINDINGS OF FACT

Now, having properly considered the evidence and testimony presented, the Board makes the following findings of fact by clear and convincing evidence:

1. Sridhar Yaratha, M.D., was issued license number 0101-236397 to practice medicine and surgery in the Commonwealth of Virginia on April 26, 2004. Said license was mandatorily suspended by Order of the Department of Health Professions entered June 20, 2005.

2. On or about August 19, 2004, Dr. Yaratha entered into a Consent Order with the West Virginia Board of Medicine providing for the permanent surrender of his license to practice medicine in that jurisdiction, in lieu of an administrative hearing regarding alleged unprofessional conduct.

3. On or about October 7, 2004, Dr. Yaratha entered into a Settlement Agreement and Final Order with the Board of Medical Examiners of the State of Iowa ("Iowa Board") providing for the indefinite suspension of his license to practice medicine in that jurisdiction based, in part, on the following findings:

a. On or about March 12, 2003, following a November 20, 2002, arrest for Driving Under the Influence of Drugs or Alcohol, Dr. Yaratha self-reported his potential impairment to the Iowa Physician Health Program ("IPHP") and entered into an Initial Agreement with IPHP on or about April 22, 2003. On or about October 31, 2003, the IPHP referred Dr. Yaratha to the Iowa Board for consideration based on his failure to comply with the conditions and terms of his Initial Agreement.

b. On or about December 10, 2003, the Iowa Board issued an Evaluation Order requiring Dr. Yaratha to successfully complete a comprehensive physical, neuropsychological and substance abuse evaluation within thirty (30) days. Dr. Yaratha failed to complete said evaluation.

4. Hannah Lloyd, CSAC, has been treating Dr. Yaratha in both individual and group therapy since December 2005, and testified that he could be compliant with the recommendations for continuing care and return to work guidelines from the Center for Professional Excellence ("CPE"). Ms. Lloyd testified that she attributes Dr. Yaratha's prior legal difficulties and unethical behavior to his untreated alcoholism; however, at this juncture, she testified that Dr. Yaratha has a good grasp on early recovery.

5. Patricia Pade, M.D., Associate Medical Director with the Virginia Health Practitioners' Intervention Program ("HPIP"), testified regarding Dr. Yaratha's compliance with his Recovery Monitoring Contract and stated that Dr. Yaratha can return to practice within the bounds of the CPE continuing care and return to work guidelines with a work site monitor.

6. Dr. Yaratha testified that he has a "need" to attend Alcoholics Anonymous meetings daily and Caduceus meetings once a week. He reports a sobriety date of June 11, 2005.

CONCLUSIONS OF LAW

1. Finding of Fact #2 constitutes a violation of Section 54.1-2915.A(5) [*formerly Section 54.1-2915(6)*] of the Code of Virginia.

2. Findings of Fact #3(a) and (b) constitute violations of Sections 54.1-2915.A(2) and (5) [*formerly Sections 54.1-2915(2) and (6)*] of the Code.

ORDER

WHEREFORE, based on the foregoing Findings of Fact and Conclusions of Law, it is ORDERED that the petition to reinstate the license of Sridhar Yaratha, M.D., is GRANTED subject to the following terms and conditions:

1. Dr. Yaratha shall continue to comply with the terms of his contract with HPIP, and all addenda thereto. Dr. Yaratha shall successfully complete his contract, and shall cause progress reports from HPIP to be submitted to the Board on a calendar quarterly basis. Dr. Yaratha shall notify the Board immediately upon his receipt of notification from HPIP that he is out of compliance with his contract with HPIP, or has been dismissed from HPIP.

2. Prior to the issuance of the license, Dr. Yaratha shall remit all fees associated with activating the license for the current biennium, if any.

3. In approximately one (1) year from the date of entry of this Order, Dr. Yaratha shall be noticed to appear before a Special Conference Committee of the Board. Said committee shall provide the ongoing monitoring of Dr. Yaratha's Order, determine the frequency of further appearance by Dr. Yaratha before it, and shall serve as the instrument of the Board responsible for reviewing and approving all information relative to the terms and condition of this Order.

4. Dr. Yaratha shall maintain a course of conduct in his practice of medicine commensurate with the requirements of Title 54.1, Chapter 29 of the Code and all laws of the Commonwealth.

5. Dr. Yaratha shall notify the Executive Director of the Board by certified mail of any change of address within ten days of such occurrence.

Violation of this Order shall constitute grounds for the revocation of the license of Dr. Yaratha. In the event that Dr. Yaratha violates this Order, an administrative proceeding may be convened to determine whether his license should be revoked.

As provided by Rule 2A:2 of the Supreme Court of Virginia, Dr. Yaratha has thirty (30) days from the date of service (the date he actually received this decision or the date it was mailed to him, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with William L. Harp, M.D., Executive Director, Board of Medicine, at 6603 West Broad St., Richmond, Virginia 23230. In the event that this decision is served by mail, three (3) days are added to that period.

Pursuant to Section 54.1-2400.2(F) 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.

FOR THE BOARD



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

ENTERED: 3/6/06



COMMONWEALTH of VIRGINIA

Sandra Whitley Ryals
Director

Department of Health Professions
6603 West Broad Street, 5th Floor
Richmond, Virginia 23230-1712

www.dhp.virginia.gov
TEL (804) 662 9900
FAX (804) 662 9943
TDD (804) 662 7197

March 23, 2007

Sridhar Yaratha, M.D.
8726 Springwater Drive
Richmond, Virginia 23228

CERTIFIED MAIL
7160 3901 9849 4240 3628

RE: License No.: 0101-236397

Dear Dr. Yaratha:

The Virginia Board of Medicine ("Board") has received a report from the Compliance Division regarding your compliance with the terms of the Board's Order entered March 6, 2006. On March 14, 2007, a Special Conference Committee consisting of Juan Montero, M.D. and Karen Ransone, M.D. reviewed this report and determined that you have fully complied with the terms of the Order. The terms on your license have been terminated effective this date. The Board's records now reflect that you have a full and unrestricted license.

Pursuant to §54.1-2400.2(F) 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,

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

cc: Renee S. Dixon, Discipline Case Manager, Board of Medicine [113268]
Jennie Wood, Senior Administrative Assistant
Susan Brooks, Administrative Specialist



COMMONWEALTH of VIRGINIA

Robert A. Nebiker
Director

Department of Health Professions
6603 West Broad Street, 5th Floor
Richmond, Virginia 23230-1712

www.dhp.virginia.gov
TEL (804) 662-9900
FAX (804) 662-9943
TDD (804) 662-7197

January 18, 2006

Sridhar Yaratha, M.D.
P.O. Box 1217
Marion, Virginia 24354

RE: License No.: 0101-236397

CERTIFIED MAIL

Certified Article Number

7160 3901 9848 3153 8356

SENDER'S RECORD

Dear Dr. Yaratha:

In accordance with Sections 54.1-105, 54.1-110, 54.1-2400, 2.2-4020 and 2.2-4021 of the Code of Virginia (1950), as amended ("Code"), you are hereby given notice that the Virginia Board of Medicine ("Board") will convene a formal administrative hearing to consider the reinstatement of your license to practice medicine in the Commonwealth of Virginia, which was mandatorily suspended by Order of the Department of Health Professions, entered June 20, 2005, pursuant to Section 54.1-2409 of the Va. Code. This action was due to the indefinite suspension of your license to practice medicine in the State of Iowa, by Settlement Agreement and Final Order of the Board of Medical Examiners of the State of Iowa, entered October 7, 2004.

Pursuant to Section 54.1-2409 of the Code, reinstatement of your license shall require the affirmative vote of three-fourths of the members of the Board present at the hearing. Please be advised that upon the introduction of evidence relating to your competency and fitness to practice medicine, the Board will also consider evidence that you may be in violation of certain laws governing the practice of medicine in Virginia, as set forth in the attached Statement of Particulars.

The formal administrative hearing will be held in accordance with the provisions of Sections 54.1-2400(11) and 2.2-4024.F of the Code, before a panel of the Board, with a member of the Board presiding. You have been scheduled to appear before the Board on **February 23-25, 2006, in the offices of the Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia.** You will receive written notice at a later date regarding the specific date and time of your formal hearing. A map is enclosed for your convenience. Your presence is required thirty (30) minutes in advance of the appointed time. Please report to the 5th floor receptionist, who will direct you to a waiting room. Please be seated in the waiting room and you will be called when the Board is ready to meet with you.

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

You have the following rights, among others: to be accompanied by and represented by counsel, to submit oral and documentary evidence and rebuttal proofs, to conduct such cross-examination as may elicit a full and fair disclosure of the facts, and to have the proceedings completed and a decision made with dispatch. Should you wish to subpoena witnesses, requests for subpoenas must be made, in writing, in accordance with the enclosed Instructions for Requesting Subpoenas.

Please carefully read the following paragraphs, which contain date -sensitive and important information regarding this proceeding.

COMMONWEALTH'S EVIDENCE

You have the right to the information that will be used by the Board in reaching a decision regarding this matter; therefore, I enclose the Commonwealth's evidence. Please note that these documents are enclosed only with the original notice sent by certified mail and must be claimed at the post office. Also, copies of these materials have also been provided to your counsel, Michael L. Goodman, Esquire. If you have any questions or objections regarding the content of this package, you must contact Assistant Attorney General James E. Schliessmann at (804) 786-6569. Should you wish to file any objections to the Commonwealth's evidence, you must file your objections in writing, addressed to me at the Board office, no later than **January 30, 2006**. If you have not filed any objections by January 30, 2006, the exhibits will be distributed to the Board members for their consideration when discussing the allegations with you and when deliberating upon your case. If you do file objections, the Commonwealth has until **February 2, 2006**, to file a response to the objections, in writing and addressed to me at the Board office. The chairperson of the proceeding will rule on the motion.

RESPONDENT'S EVIDENCE

Should you wish for the Board to consider additional information relative to this proceeding, you must submit fifteen (15) copies of any such documents to Reneé S. Dixon, Discipline Case Manager, Virginia Board of Medicine, 6603 West Broad Street, 5th Floor, Richmond, Virginia 23230, by **January 31, 2006**. You may not submit your documents by facsimile or e-mail. The Commonwealth must file any objections to your submissions in writing, addressed to me at the Board office, no later than **February 3, 2006**. If no objections have been received by **February 3, 2006**, the evidence will be distributed to the Board members for their review, and will be considered by the Board as evidence when it deliberates upon your case. If the Commonwealth raises objections, you have until **February 7, 2006**, to file your response to the objections, in writing and addressed to me at the Board office. The chairperson of the proceeding will rule on the motion.

OTHER PRE-HEARING MOTIONS

If you or Assistant Attorney General James E. Schliessmann wish to make any pre-hearing motions regarding matters other than the exhibits, including offers of settlement, each

of you is directed to file motions, in writing, addressed to me at the Board office by **January 31, 2006**. Responses to motions filed must be submitted by **February 2, 2006**. The chairperson of the proceeding will rule on the motion.

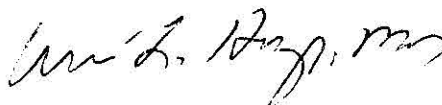
REQUEST FOR A CONTINUANCE

Absent exigent circumstances, such as personal or family illness, a request for a continuance after **January 30, 2006**, will not be considered. A motion for a continuance due to the unavailability of counsel will not be considered unless received by **January 30, 2006**.

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 at <http://leg1.state.va.us>. To access this information, please click on *Code of Virginia* for laws and *Virginia Administrative Code* for regulations.

Please indicate, by letter to this office, your intention to be present.

Sincerely,



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

SJR/Yaratha15NFH

Enclosures:

Commonwealth's Exhibits 1-5
Statement of Particulars
Instructions for Requesting Subpoenas
Map

cc: Thomas B. Leecost, D.P.M., President, Virginia Board of Medicine
Robert A. Nebiker, Director, Department of Health Professions
Renee S. Dixon, Discipline Case Manager, Board of Medicine
James E. Schliessmann, Assistant Attorney General [w/enclosures]
Sheon J. Rose, Adjudication Specialist
Lorraine McGehee, Deputy Director, APD
Michael Goodman, Esquire [w/enclosures]
Vicky Fox, Investigator [106015]
Peggy Call, Intervention Program Manager

VIRGINIA:

BEFORE THE BOARD OF MEDICINE

IN RE: SRIDHAR YARATHA, M.D.
 License No.: 0101-236397

STATEMENT OF PARTICULARS

The Virginia Board of Medicine ("Board") alleges that:

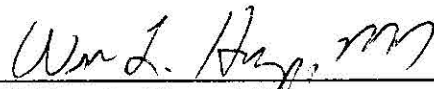
1. Dr. Yaratha may have violated Section 54.1-2915.A(5) [*formerly Section 54.1-2915(6)*] of the Code of Virginia (1950), as amended ("Code"), in that, on or about August 19, 2004, he entered into a Consent Order with the West Virginia Board of Medicine providing for the permanent surrender of his license to practice medicine in that jurisdiction, in lieu of an administrative hearing regarding alleged unprofessional conduct.

2. Dr. Yaratha may have violated Sections 54.1-2915.A(2) and (5) [*formerly Sections 54.1-2915(2) and (6)*] of the Code, in that, on or about October 7, 2004, he entered into a Settlement Agreement and Final Order with the Board of Medical Examiners of the State of Iowa ("Iowa Board") providing for the indefinite suspension of his license to practice medicine in that jurisdiction based, in part, on the following findings:

a. On or about March 12, 2003, following a November 20, 2002 arrest for Driving Under the Influence of Drugs or Alcohol, Dr. Yaratha self-reported a potential substance abuse impairment to the Iowa Physician Health Program ("IPHP") and entered into an Initial Agreement with IPHP on or about April 22, 2003. On or about October 31, 2003, the IPHP referred Dr. Yaratha to the Iowa Board for consideration based on his failure to comply with the conditions and terms of his Initial Agreement.

b. On or about December 10, 2003, the Iowa Board issued an Evaluation Order requiring Dr. Yaratha to successfully complete a comprehensive physical, neuropsychological and substance abuse evaluation within thirty (30) days. Dr. Yaratha failed to complete said evaluation.

FOR THE BOARD



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

DATE: 1/18/06

VIRGINIA:

BEFORE THE BOARD OF MEDICINE

**IN RE: SRIDHAR YARATHA, M.D.
 License No.: 0101-236397**

ORDER

In accordance with the provisions of Sections 54.1-105, 54.1-110, 2.2-4020 and 2.2-4021 of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was convened before the Virginia Board of Medicine ("Board"), on February 23, 2004, in Richmond, Virginia, to consider Dr. Yaratha's petition for the reinstatement of his license to practice medicine and surgery in the Commonwealth of Virginia, which was mandatorily suspended by Order of the Department of Health Professions entered June 20, 2005, and to receive and act upon evidence that Dr. Yaratha may have violated certain laws governing the practice of medicine in the Commonwealth. These matters are set forth in the Board's Notice of Hearing and Statement of Particulars dated January 18, 2006.

Pursuant to Sections 2.2-4024.F and 54.1-2400(11) of the Code, the hearing was held before a panel of the Board with a member of the Board presiding. Howard M. Casway, Senior Assistant Attorney General, was present as legal counsel for the Board. The proceedings were recorded by a certified court reporter. The case was prosecuted by James E. Schliessmann, Assistant Attorney General, assisted by Sheon J. Rose, Adjudication Specialist. Dr. Yaratha appeared at the formal administrative hearing and was represented by legal counsel, Michael L. Goodman, Esquire.

FINDINGS OF FACT

Now, having properly considered the evidence and testimony presented, the Board makes the following findings of fact by clear and convincing evidence:

1. Sridhar Yaratha, M.D., was issued license number 0101-236397 to practice medicine and surgery in the Commonwealth of Virginia on April 26, 2004. Said license was mandatorily suspended by Order of the Department of Health Professions entered June 20, 2005.

2. On or about August 19, 2004, Dr. Yaratha entered into a Consent Order with the West Virginia Board of Medicine providing for the permanent surrender of his license to practice medicine in that jurisdiction, in lieu of an administrative hearing regarding alleged unprofessional conduct.

3. On or about October 7, 2004, Dr. Yaratha entered into a Settlement Agreement and Final Order with the Board of Medical Examiners of the State of Iowa ("Iowa Board") providing for the indefinite suspension of his license to practice medicine in that jurisdiction based, in part, on the following findings:

a. On or about March 12, 2003, following a November 20, 2002, arrest for Driving Under the Influence of Drugs or Alcohol, Dr. Yaratha self-reported his potential impairment to the Iowa Physician Health Program ("IPHP") and entered into an Initial Agreement with IPHP on or about April 22, 2003. On or about October 31, 2003, the IPHP referred Dr. Yaratha to the Iowa Board for consideration based on his failure to comply with the conditions and terms of his Initial Agreement.

b. On or about December 10, 2003, the Iowa Board issued an Evaluation Order requiring Dr. Yaratha to successfully complete a comprehensive physical, neuropsychological and substance abuse evaluation within thirty (30) days. Dr. Yaratha failed to complete said evaluation.

4. Hannah Lloyd, CSAC, has been treating Dr. Yaratha in both individual and group therapy since December 2005, and testified that he could be compliant with the recommendations for continuing care and return to work guidelines from the Center for Professional Excellence ("CPE"). Ms. Lloyd testified that she attributes Dr. Yaratha's prior legal difficulties and unethical behavior to his untreated alcoholism; however, at this juncture, she testified that Dr. Yaratha has a good grasp on early recovery.

5. Patricia Pade, M.D., Associate Medical Director with the Virginia Health Practitioners' Intervention Program ("HPIP"), testified regarding Dr. Yaratha's compliance with his Recovery Monitoring Contract and stated that Dr. Yaratha can return to practice within the bounds of the CPE continuing care and return to work guidelines with a work site monitor.

6. Dr. Yaratha testified that he has a "need" to attend Alcoholics Anonymous meetings daily and Caduceus meetings once a week. He reports a sobriety date of June 11, 2005.

CONCLUSIONS OF LAW

1. Finding of Fact #2 constitutes a violation of Section 54.1-2915.A(5) [*formerly Section 54.1-2915(6)*] of the Code of Virginia.

2. Findings of Fact #3(a) and (b) constitute violations of Sections 54.1-2915.A(2) and (5) [*formerly Sections 54.1-2915(2) and (6)*] of the Code.

ORDER

WHEREFORE, based on the foregoing Findings of Fact and Conclusions of Law, it is ORDERED that the petition to reinstate the license of Sridhar Yaratha, M.D., is GRANTED subject to the following terms and conditions:

1. Dr. Yaratha shall continue to comply with the terms of his contract with HPIP, and all addenda thereto. Dr. Yaratha shall successfully complete his contract, and shall cause progress reports from HPIP to be submitted to the Board on a calendar quarterly basis. Dr. Yaratha shall notify the Board immediately upon his receipt of notification from HPIP that he is out of compliance with his contract with HPIP, or has been dismissed from HPIP.

2. Prior to the issuance of the license, Dr. Yaratha shall remit all fees associated with activating the license for the current biennium, if any.

3. In approximately one (1) year from the date of entry of this Order, Dr. Yaratha shall be noticed to appear before a Special Conference Committee of the Board. Said committee shall provide the ongoing monitoring of Dr. Yaratha's Order, determine the frequency of further appearance by Dr. Yaratha before it, and shall serve as the instrument of the Board responsible for reviewing and approving all information relative to the terms and condition of this Order.

4. Dr. Yaratha shall maintain a course of conduct in his practice of medicine commensurate with the requirements of Title 54.1, Chapter 29 of the Code and all laws of the Commonwealth.

5. Dr. Yaratha shall notify the Executive Director of the Board by certified mail of any change of address within ten days of such occurrence.

Violation of this Order shall constitute grounds for the revocation of the license of Dr. Yaratha. In the event that Dr. Yaratha violates this Order, an administrative proceeding may be convened to determine whether his license should be revoked.

As provided by Rule 2A:2 of the Supreme Court of Virginia, Dr. Yaratha has thirty (30) days from the date of service (the date he actually received this decision or the date it was mailed to him, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with William L. Harp, M.D., Executive Director, Board of Medicine, at 6603 West Broad St., Richmond, Virginia 23230. In the event that this decision is served by mail, three (3) days are added to that period.

Pursuant to Section 54.1-2400.2(F) 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.

FOR THE BOARD



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

ENTERED: 3/6/06



COMMONWEALTH of VIRGINIA

Sandra Whitley Ryals
Director

Department of Health Professions
6603 West Broad Street, 5th Floor
Richmond, Virginia 23230-1712

www.dhp.virginia.gov
TEL (804) 662 9900
FAX (804) 662 9943
TDD (804) 662 7197

March 23, 2007

Sridhar Yaratha, M.D.
8726 Springwater Drive
Richmond, Virginia 23228

CERTIFIED MAIL
7160 3901 9849 4240 3628

RE: License No.: 0101-236397

Dear Dr. Yaratha:

The Virginia Board of Medicine ("Board") has received a report from the Compliance Division regarding your compliance with the terms of the Board's Order entered March 6, 2006. On March 14, 2007, a Special Conference Committee consisting of Juan Montero, M.D. and Karen Ransone, M.D. reviewed this report and determined that you have fully complied with the terms of the Order. The terms on your license have been terminated effective this date. The Board's records now reflect that you have a full and unrestricted license.

Pursuant to §54.1-2400.2(F) 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,

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

cc: Renee S. Dixon, Discipline Case Manager, Board of Medicine [113268]
Jennie Wood, Senior Administrative Assistant
Susan Brooks, Administrative Specialist