

BEFORE THE ALABAMA STATE BOARD OF MEDICAL EXAMINERS

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**)

Complainant,)

v.)

RAO MEKA, M.D.,)

Respondent.)

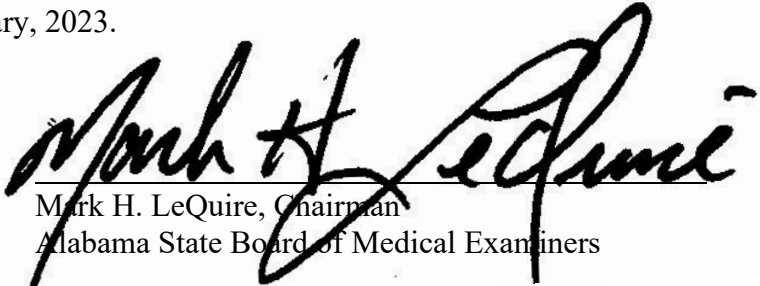
CASE NO. 2023-03

ORDER TEMPORARILY SUSPENDING COLLABORATIVE PRACTICE

Pursuant to the authority of Ala. Code §§ 34-21-88 and 41-22-19(d) and Ala. Admin. Code R. 540-X-8-.16, the Alabama State Board of Medical Examiners (“the Board”) hereby finds that there is an imminent danger to the public health and safety, and it is the ORDER of the Board that the Collaborative Practice between RAO MEKA, M.D., MD.13044 and Certified Registered Nurse Practitioner (“CRNP”) CANDACE KIRK, CRNP, be, and the same is hereby, immediately suspended. Dr. Meka is hereby ORDERED and DIRECTED to cease and desist from his collaborating privileges with Ms. Kirk until such time as a hearing shall be held by the Board and a decision rendered thereon.

This Order shall issue simultaneously with an Order to Show Cause setting forth the allegations and scheduling a hearing.

Ordered this the 2nd day of February, 2023.



Mark H. LeQuire, Chairman
Alabama State Board of Medical Examiners

RETURN OF SERVICE

I, the undersigned, being over the age of 19 years and not a party in this matter, hereby certify that I have served the foregoing Order Temporarily Suspending Collaboration Practice upon Dr. Rao Meha, this the 9th day of February, 2023.

[Handwritten Signature]

Process Server

SWORN TO AND SUBSCRIBED before me this 9th day of February, 2023.

[Handwritten Signature]

Notary Public

My Commission Expires:



BEFORE THE ALABAMA STATE BOARD OF MEDICAL EXAMINERS

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Complainant,)	
)	CASE NO. 2023-03
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RAO MEKA, M.D.,)	
)	
Respondent.)	

ORDER TO SHOW CAUSE

This Order to Show Cause is directed to RAO MEKA, M.D. (“Respondent”), pursuant to the authority of Ala. Code § 34-21-88. A hearing will be conducted at **11:00 a.m. (CDT) on May 18, 2023**, at the offices of the Alabama State Board of Medical Examiners (“the Board”), 848 Washington Avenue, Montgomery, Alabama. Respondent is ORDERED AND DIRECTED to appear before the Board at the time and place stated above and to show cause, if there be any, why the approval of the Board of the collaborative practice between CANDACE KIRK, CRNP, and Respondent should not be terminated. As grounds for termination, the Board states the following:

JURISDICTION

1. Respondent has maintained a license to practice medicine in Alabama since on or about September 24, 1986. He is currently authorized to prescribe controlled substances under Alabama Controlled Substances Certificate number ACSC.I3044.
2. Respondent entered a collaborative practice agreement with Candace Kirk, CRNP, on or about October 21, 2021.
3. The Board has jurisdiction under Ala. Code § 34-21-88 and Chapter 540-X-8-.16 of the Administrative Rules of the Alabama Board of Medical Examiners.

FACTS

4. Respondent is board certified in internal medicine with a secondary specialization in gastroenterology. He shares primary practice sites at two locations with Viplove Senadhi, D.O. Both offices are located in Montgomery, Alabama; one at 1898 Mulberry Street and the other at 2415 Central Parkway. As of November 2022, Dr. Senadhi is registered to perform office-based surgical (“OBS”) procedures. Respondent is not currently registered for OBS.

5. On or about January 4, 2023, the Board opened an investigation into the performance of OBS procedures at the Central Parkway location. As part of its investigation, the Board conducted an office-based surgery audit on or about January 11, 2023. The Board staff met with the office manager, Ashley Chandler, and learned that this practice site had been opened for about a year. She stated that colonoscopies and endoscopies have been performed in the office since August 28, 2022. She further stated that Respondent and Dr. Senadhi perform about 10-12 procedures a day, Monday through Thursday, and that they have an in-house lab to handle their specimens. According to Ms. Chandler, Respondent and Dr. Senadhi perform procedures at Baptist South on Fridays.

6. During the audit, the Board staff requested the Quality Assurance plan (“QA”) for Respondent’s collaborative practice with Ms. Kirk, as well as Ms. Kirk’s ACLS certification of completion. Ms. Chandler stated she would later provide these documents to the Board, *via* email. Several weeks following the audit, the Board received the QA documents dated only “3rd Quarter” and “4th Quarter.” Ms. Kirk’s ACLS certificate was provided to the Board by her attorney, reflecting a recommended renewal date of August 2022. Ms. Chandler informed the Board staff that Ms. Kirk works at both the Central Parkway and Mulberry Street site locations. However, only the Mulberry Street location is listed on Ms. Kirk’s collaborative practice

agreement.

7. The Board's investigation revealed violation deficiencies in Respondent's professional medical oversight of Ms. Kirk, in violation of Ala. Admin. Code R. 540-X-8-.08. Specifically, Respondent does not appear to be timely performing QA with Ms. Kirk, nor did he request approval from the Board for Ms. Kirk to practice at his Central Parkway location. In addition, he allowed Ms. Kirk to consult with patients on procedures for which he was not registered with the Board to perform.

GROUND FOR SUSPENSION

8. The Board has investigated Respondent and based on that investigation, has concluded that there is probable cause to terminate the approval of Respondent's active collaborative practice agreement under Ala. Code § 34-21-88 and Ala. Admin. Code R. 540-X-8-.16.

COUNT ONE – FAILURE TO COMPLY WITH BOARD RULES RELATING TO COLLABORATIVE PRACTICE

9. Beginning in or about August 2022, and continuing through present, RAO MEKA, M.D., failed to provide professional medical oversight and direction to CANDACE KIRK, CRNP, in violation of Ala. Admin. Code R. 540-X-8-.08(1)(a), 540-X-8-.15(1)(d), and Ala. Code § 34-21-88.

COUNT TWO – FAILURE TO COMPLY WITH BOARD RULES RELATING TO COLLABORATIVE PRACTICE

10. On or about January 11, 2023, RAO MEKA, M.D., failed to produce for inspection documentation required to be maintained by him pursuant to a request by an agent of the Alabama State Board of Medical Examiners concerning his collaborative practice with

CANDACE KIRK, CRNP, in violation of Ala. Admin. Code R. 540-X-8-.08(5)(f), 540-X-8-.15(1)(f), and Ala. Code § 34-21-88.

COUNT THREE – VIOLATION COMMITTED BY THE COLLABORATING PHYSICIAN

11. Beginning in or about August 28, 2022, and continuing through November 7, 2022, RAO MEKA, M.D., performed office-based surgical procedures without a registration, in violation of Ala. Admin. Code R. 540-X-10-.12(1), 540-X-10-.13(1)(d), and Ala. Code § 34-24-360(2).

NOTICE OF REQUESTED DISCIPLINE

12. WHEREFORE, the foregoing premises considered, the Board seeks to terminate the collaborative practice between Ms. Kirk and Respondent, pursuant to Ala. Code § 34-21-88 and Ala. Admin. Code R. 540-X-8-.16, and/or take any other action that the Board deems appropriate based upon the evidence presented for consideration.

NOTICE OF PROCEDURAL RIGHTS AND APPOINTMENT OF HEARING OFFICER

13. Further, the Board has set a hearing on this matter and orders and directs the Respondent to appear and answer the allegations contained in this Order. The Respondent is entitled to be present at the hearing, to call witnesses, to present evidence on his behalf, to examine documents offered into evidence, and to examine any witnesses called to testify. The Respondent is entitled to be represented by counsel at his own expense.

14. The hearing shall be considered a contested case under the Alabama Administrative Procedures Act, and the hearing shall be conducted in accordance with Ala. Code §41-22-1, *et. seq.*, and Chapter 6 of the Rules and Regulations of the Board of Medical Examiners contained in Chapter 540 of the *Alabama Administrative Code*.


15. The Honorable William R. Gordon is hereby appointed as Hearing Officer.

16. The Board is presently continuing the investigation of the Respondent and said investigation may result in additional charges being prepared and filed as an amendment to this Order.

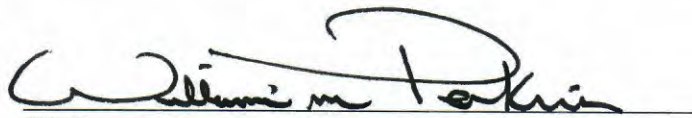
The Board requests that administrative costs be assessed against Respondent pursuant to Ala. Code § 34-24-380 and Board Rule 540-X-5-.03.

Respondent shall file an answer with the Board no later than **twenty (20) days** after service of this Order to Show Cause, as set out in Ala. Admin. Code R. 540-X-6-.04(2).

This ORDER TO SHOW CAUSE is entered by direction of the Alabama State Board of Medical Examiners this 3rd day of February, 2023.



E. Wilson Hunter
General Counsel
ALABAMA STATE BOARD OF MEDICAL EXAMINERS
PO Box 946
Montgomery AL 36101-0946
334-242-4116
whunter@albme.gov



William M. Perkins
Executive Director
ALABAMA STATE BOARD OF MEDICAL EXAMINERS

RETURN OF SERVICE

I, the undersigned, being over the age of 19 years and not a party in this matter, hereby certify that I have served the foregoing Order to Show Cause upon Dr. Rao Moke, this the 9th day of February, 2023.

[Handwritten Signature]

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Notary Public

My Commission Expires:

