

MAINE STATE BOARD OF LICENSURE IN MEDICINE

IN RE: Sumathi Paturu, M.D. )  
Complaint Nos. CR06-421; 07-058 ) DECISION AND ORDER  
Licensure Appeal and Disciplinary Action )

I. PROCEDURAL HISTORY

Pursuant to the authority found in 32 M.R.S.A. Sec. 3263, *et seq.*, 5 M.R.S.A. Sec. 9051, *et seq.*, and 10 M.R.S.A. Sec. 8001, *et seq.*, the Board of Licensure in Medicine (Board) met in public session at the Board's offices located in Augusta, Maine on August 14, 2007. The purpose of the meeting was to conduct an adjudicatory hearing to determine whether to affirm the Board's preliminary denial of Dr. Sumathi Paturu's application to renew her Maine medical license and whether her Maine medical license was subject to discipline based on the allegations contained in the Notice of Hearing. A quorum of the Board was in attendance during all stages of the proceedings. Participating and voting Board members were Chairman Sheridan R. Oldham, M.D., Bettsanne Holmes (public member), Kimberly K. Gooch, M.D., Gary R. Hatfield, M.D., George K. Dreher, M.D., David Nyberg, Ph. D., Daniel K. Onion, M.D., and Maroulla S. Gleaton, M.D. Dennis Smith, Ass't. Attorney General represented the State. The Presiding Officer considering her special circumstances authorized Dr. Paturu to appear by telephone by special permission of the Presiding Officer. She was not represented by legal counsel. James E. Smith, Esq. served as Presiding Officer.

The exhibits consisted of the Board's statutes and Rules, and State's 1-26. The Presiding Officer and Board determined that there were no conflicts of interest to disqualify any Board member from hearing this matter. Following the State's opening statement, admission of exhibits, testimony and closing argument/comments, the Board deliberated and made the following findings of fact by a preponderance of the credible evidence and conclusions of law regarding the allegations in the Notice of Hearing.

## II.

### FINDINGS OF FACT

Sumathi Paturu, M.D. is a 56 year-old physician who is a native of India. She earned a medical degree in her native country in 1977 and received further post-graduate training in obstetrics/gynecology. In 1992, Dr. Paturu immigrated to the United States where she entered into a residency program in psychiatry for an additional two years but did not complete the program. She presently resides in Alabama where she was licensed in 1994 as a physician specializing in family practice and has supplemented her medical education by becoming an author and also is a sculptor.

Dr. Paturu last practiced medicine in April 2003. For several years prior thereto, she practiced as a *locum tenens* primarily in Alabama but her employment appeared to be sporadic in nature. She allegedly has been harassed and threatened in her life by groups of people who she believes are attempting to steal her intellectual property including patents relating to medical devices, manuscripts, and protocols. Dr. Paturu stated that the same unknown individuals entered her apartment and stole information from her computer and inserted a monitoring device in her apartment ceiling. In order to thwart the intruders, she places a quilt over her computer so that her words can't be observed.

Dr. Paturu also alleged that during her practice as a *locum tenens*, the staff in an Alabama motel where she was temporarily residing would daily change the lock or entrance code to her room. She complained about this practice to the motel's management but to no avail. Eventually, at night she moved from the motel and, while en route to another motel, was involved in an automobile accident which she claims was intentionally caused by those wanting to do her harm.

On March 16, 2005, an investigation of Dr. Paturu was opened by the Alabama State Board of Medical Examiners (Alabama Board) based to a large degree on the above comments. On September 22, 2005, Dr. Paturu filed a 272 page hand-written response to the Alabama Board's concerns. On December 14, 2005, that Board issued an order to have her evaluated by Dr. Charles V. Ford, a psychiatrist. Although Dr. Paturu attended the one hour evaluation session, she refused to sign a release of Dr. Ford's report who apparently determined that she had a "delusional disorder." The Alabama Board then ordered her to appear for an interview before the Board scheduled for February 14, 2006. She refused to attend, and sent a letter to that Board in which she

stated, among other things, that “there is not anything more that is important or significant that I can personally say” and also questioning “how beneficial it would be for me coming over there.” She also expressed concerns regarding long distance drives in light of the “accidents that happened to me in the past.”

On March 20, 2006, Dr. Paturu once again wrote to the Alabama Board and reiterated that her car was intentionally hit on the driver’s side by a vehicle that was waiting on the shoulder on the highway with no headlights on. She also commented that the executive director of the Alabama Medical Board probably is in need of “comprehensive neuropsychiatric testing” because his correspondence contained the typographical error 2006 instead of 2005.

On June 1, 2006, the Alabama Board revoked Dr. Paturu’s license based on her statements and failure to comply with Board orders. On July 5, 2006, the New York State Department of Health’s Commissioner issued an Order and Notice of Hearing which summarily suspended Dr. Paturu’s medical license issued on November 8, 1994 “for acts which if committed in this state would have constituted the basis for summary action pursuant to New York Public Health Law §230(12).” The New York Board subsequently revoked Dr. Paturu’s license on June 30, 2006 based on the Alabama Board’s actions.

Dr. Paturu submitted her application to the Maine Board for licensure on July 7, 2006. She wrote that she has never had any malpractice actions brought against her and also that she has had no physical, psychiatric, or addictive problems and does not abuse substances. She also stated that she had received suspicious mail in the past few months “from what looks like ‘Alabama board of medical examiners’ and the ‘licensing commission’...and I am not able to find out whether it is coming from the real medical board, and the real licensing commission members, or from fake agency.” She has also questioned whether Dr. Ford was the “real” Dr. Ford or some impersonator and had received correspondence from the “state Medicaid agency [that also] looks suspicious.”

The Maine Board subsequently performed its own abbreviated investigation and on September 12, 2006, preliminarily denied Dr. Paturu’s Renewal Application based on the actions taken by the Alabama and New York medical boards. The Maine Board then received Dr. Paturu’s appeal of that decision and conducted a more thorough investigation which resulted in a January 29, 2007 Board ordered mental competence and cognitive evaluation pursuant to 32 M.R.S.A. §3286. The evaluation was ordered to be performed by either Dr. Charles Ford or Donald Marson,

J.D., Ph.D., both of Birmingham, Alabama. Dr. Paturu failed to submit to this examination which resulted in the Board issuing a complaint against her license on March 21, 2007.

On April 25, 2007, Dr. Paturu faxed a 277 page response to the Board's complaint. In that response, Dr. Paturu stated, among other things, that in May 2003 while doing *locum tenens* work near Mobile, the actions of the executive director of the Alabama Medical Board were "irresponsible and aimed at causing undue bad publicity and damage to [her] career and reputation." Additionally, she blamed her problems with her employers regarding the non-renewal or termination of her contracts by her "not cooperating with them to have implied rights to [her] intellectual property (of great magnitude)." She further determined that the Alabama Medical Board revoked her license for no reason and in the most arrogant manner and with no regard for her career, reputation, morale, or mental suffering – and dealt with a lifetime of education and learning like a trivial issue to be tossed aside.

In the course of conducting this hearing, a copy of an interview of Dr. Paturu on August 2, 2005 by Alabama Board Investigator David McGilvray was introduced into evidence. That report revealed that Dr. Paturu believed that a group or organization was trying to steal her intellectual property (and had "DONE SO") by controlling the behavior of hotel personnel; controlling the behavior of her employers; setting fire to her apartment; entering her apartment through secret passageways; controlling the behavior of the apartment manager; tapping into her laptop computer; coaxing her husband into filing for divorce; meddling with the electrical system in her car; causing an accident – not to kill her – but to disfigure her face so that she would not go out – but stay inside and continue her work on the intellectual property (so they could steal it).

### III.

### CONCLUSIONS OF LAW

Subsequent to the hearing of testimony in this matter, the Maine Board determined that the resolution of Dr. Paturu's renewal application would also resolve the disciplinary allegations contained in the Notice of Hearing, particularly since sanctions would not appear to be appropriate considering the unique facts of the case. Accordingly, the Board dismissed the allegations as they referred to potential disciplinary action.

32 M.R.S.A. §3280-A.2.A. states, in part, that "The board shall, after affording the licensee due process, deny license renewal if the board finds cause that may be considered grounds for

refusal to renew the license pursuant to section 3282-A...” 32 M.R.S.A. §3282-A.1. authorizes the Board to “deny a license or authorize a restricted license based on the record of the applicant in other states.” Moreover, 32 M.R.S.A. §3282-A.2. provides that the following are grounds for an action for the board to “...refuse to renew the license of an individual licensed under this chapter:

E. Incompetence in the practice for which the licensee is licensed. A licensee is considered incompetent in the practice if the licensee has: (1) Engaged in conduct that evidences a lack of ability or fitness to discharge the duty owed by the licensee to a client or patient or the general public...

F. Unprofessional conduct. A licensee is considered to have engaged in unprofessional conduct if the licensee violates a standard of professional behavior that has been established in the practice for which the licensee is licensed.

M. Revocation, suspension or restriction of a license to practice medicine ... by another state...if the conduct resulting in the disciplinary or other action involving the license would, if committed in this State, constitute grounds for discipline under the laws or rules of this State.”

The Board, by the vote of 8-0, and utilizing its training, experience, and expertise, concluded that there are grounds to uphold the Board’s preliminary decision to deny Dr. Paturu’s application for re-licensure based upon the following:

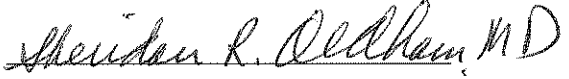
1. Dr. Paturu’s comments that she made to Alabama Board investigators that “people or organizations” were out to steal her intellectual property, breaking into her apartment, getting information off of her computer, waiting for her on highways to cause her to wreck her vehicle, using her DEA license, and trying to get her to leave Alabama. (32 M.R.S.A. §3282-A.2.E).
2. Dr. Paturu’s 272 page response to the investigation conducted by the Alabama Board. (32 M.R.S.A. §3282-A.2.E).
3. Dr. Paturu’s failure to sign a release to allow the Alabama Board of Medicine access to an evaluation it ordered her to undergo, and which she underwent with Dr. Charles Ford. (32 M.R.S.A. §3282-A.2.F).
4. Dr. Paturu’s failure to appear before the Alabama Board of Medicine when so directed. (32 M.R.S.A. §3282-A.2.F).

5. The suspension and revocation of Dr. Paturu's medical licenses in the States of Alabama and New York. (32 M.R.S.A. §3282-A.1.; 32 M.R.S.A. §3282-A.2.M).
6. Dr. Paturu's failure to submit to a mental competence and cognitive evaluation ordered by the Maine Board pursuant to 32 M.R.S.A. §3286. (32 M.R.S.A. §3282-A.2.F).
7. Dr. Paturu's testimony at this hearing and correspondence to the Maine Board which support Dr. Charles Ford's diagnosis of delusional thoughts. (32 M.R.S.A. §3282-A.2.E).

Wherefore, the Appeal from the Preliminary Denial of the Application to Renew Licensure is **DENIED.**

SO ORDERED.

Dated: September 11, 2007

  
Sheridan R. Oldham., M.D. Chairman  
Maine Board of Licensure in Medicine

#### IV.

#### RIGHTS OF APPEAL

Pursuant to the provisions of 5 M.R.S.A. Sec. 10051.3 and 10 M.R.S.A. Sec. 8003, any party that appeals this Decision and Order must file a Petition for Review in the Superior Court within 30 days of receipt of this Order. The petition shall specify the person seeking review, the manner in which they are aggrieved and the final agency action which they wish reviewed. It shall also contain a concise statement as to the nature of the action or inaction to be reviewed, the grounds upon which relief is sought and a demand for relief. Copies of the Petition for Review shall be served by Certified Mail, Return Receipt Requested upon the Maine State Board of Licensure in Medicine, all parties to the agency proceedings and the Attorney General.