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FILED

October 9, 2013
**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

By: Bindi Merchant
Deputy Attorney General
[REDACTED] 54

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE :
SUSPENSION OR REVOCATION :
OF THE LICENSE OF :
:
RANAJIT MITRA, M.D. :
LICENSE NO. 25MA0636200 :
:
TO PRACTICE MEDICINE AND :
SURGERY IN THE STATE OF NEW :
JERSEY :

ADMINISTRATIVE ACTION

**INTERIM
CONSENT ORDER**

This matter was opened to the State Board of Medical Examiners ("Board") upon the filing of a Verified Complaint and an Order to Show Cause on September 30, 2013, with a return date of October 9, 2013. The Verified Complaint charges that Respondent's, Ranajit Mitra, M.D., continuing practice of medicine presents a clear and imminent danger to the public.

The Verified Complaint¹ alleges, among other things:

1. Respondent's acts, individually and in concert, constitute indiscriminate prescribing of Controlled Dangerous Substances

¹ Count 4 was included in the Complaint but was not verified.

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("CDS"). Those acts include, but are not limited to:

- a. Creating and maintaining patient records' that lack detailed history and physical examinations as it pertains to the patient's complaints of pain.
- b. Failing to document treatment plans with objectives and goals for pain management or opioid use.
- c. Failing to provide alternatives to the treatment of pain other than controlled substances, such as physical therapy, adjuvant pain medications, biofeedback, injections, electrical therapy, or referral to specialists.
- d. Ignoring New Jersey laws and regulations regarding allowed quantities of opioid tablets prescribed in a 30-day period of time by providing large quantities of short-acting pain medications at frequent intervals.
- e. Failing to monitor patients for inappropriate use of medications, toxic effects on patients receiving extremely high doses of opioids, and compliance with prescribed dosages, diversion, and addiction.
- f. Failing to conduct toxicology testing to monitor adherence to treatment for all patients;

2. Respondent's failure to comply with a Private Letter Agreement ("PLA") filed with the Board on June 21, 2011 constitutes professional misconduct. Respondent was required to stop issuing and/or authorizing CDS prescriptions for the purpose of pain management. Respondent was permitted to prescribe CDS for his psychiatric patients for a psychiatric diagnosis but not for chronic pain management. Within sixty (60) days, Respondent was required to refer all existing patients receiving pain management services to another physician specifically board certified in pain management;
3. Respondent's failure to provide typed transcriptions and complete patient records constitutes failure to cooperate with

- an investigation of the Board and professional misconduct; and
4. Respondent's practice of pain management was out of his scope of practice.²

The Verified Complaint alleges that by engaging in the conduct mentioned above, Respondent's acts constitute violations of N.J.S.A. 45:1-21 (c) and (d) (gross negligence, malpractice or incompetence, and/or repeated acts of negligence, malpractice or incompetence); 45:1-21(e) (professional misconduct); 45:1-21(m) (discriminate prescribing); 45:9-6 (failure to demonstrate good moral character), and 45:1-22 (clear and imminent danger to the public warranting a temporary suspension of his license to practice medicine).

The parties being desirous of resolving this matter, which alleges a palpable demonstration of an imminent danger to the public, without the necessity of a hearing before the Board on the Verified Complaint and Order to Show Cause, and it appearing that Respondent has read the terms of the within Order and understands their meaning and effect and consents to be bound by same, and the Board finds that the within disposition is adequately protective of the public health, safety and welfare, and for good cause shown,

IT IS, therefore, on this 9th day of October, 2013,

² Respondent is a board certified psychiatrist with no formal training in pain management.

ORDERED that:

1. Ranajit Mitra, M.D. agrees to the temporary suspension of his license to practice medicine in all jurisdictions, pending further order of the Board upon review of the results of the plenary proceeding or other application. During the time Respondent's license is temporarily suspended he shall not charge, receive or share in any fee for professional services rendered by him or others while barred from engaging in the professional practice of medicine. The licensee shall not be required to dissolve his LLC's during the term of this Order and shall be permitted to collect account receivables with respect to professional services that he rendered prior to October 9, 2013.

2. Respondent agrees to file an Answer or Stipulation admitting to the charges contained in the Verified Complaint by October 31, 2013, thus rendering hearings on liability unnecessary in this matter. The case will then be presented to the Board on November 13, 2013 or on an adjourned date, together with any written materials Respondent may wish to submit with the Answer in alleged mitigation of penalty, for a determination as to whether disciplinary actions, including suspension or revocation of Respondent's license to practice medicine or other sanctions should be imposed and whether monetary penalties and costs should be assessed. In the alternative, Respondent may submit a response to

the temporary suspension application by October 31, 2013. The Board will then consider the temporary suspension application on November 13, 2013 or on an adjourned date.

3. With the consent of the Director of the Division of Consumer Affairs, and pursuant to his authority under N.J.S.A. 24:21-9 et. seq., Respondent's New Jersey Controlled Dangerous Substances ("CDS") registration, No. D07383100, is temporarily suspended pending further order of the Director. This CDS prescribing restriction is independent of any action taken by the State Board of Medical Examiners, Drug Enforcement Administration or any other licensing authority. If the temporary suspension on Respondent's medical license is lifted by the Board, he may seek an order from the Director lifting the CDS temporary suspension. The Director will consider the factors enumerated in N.J.S.A. 24:21-11 and determine, in his sole discretion, if, and under what circumstances, the temporary suspension of Respondent's NJ CDS Registration should be lifted.

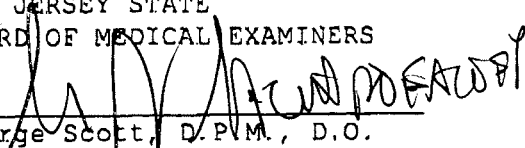
4. Respondent shall immediately return his original New Jersey medical license and CDS registration to the New Jersey State Board of Medical Examiners, P.O. Box 183, Trenton, New Jersey 08625-0183.

5. Respondent shall comply with the Directives Regarding Licensees who have been disciplined, which is attached hereto and made a part hereof.


6. The parties hereby stipulate that entry of this Order is without prejudice to further action, by this Board, the Attorney General, the Drug Control Unit, the Director of the Division of Consumer Affairs or other law enforcement entities resulting from Respondent's conduct prior to the entry of this Order and without prejudice to the further prosecution of the allegations contained in the Verified Administrative Complaint filed with the Board of Medical Examiners on September 30, 2013.

NEW JERSEY STATE
BOARD OF MEDICAL EXAMINERS

By: _____

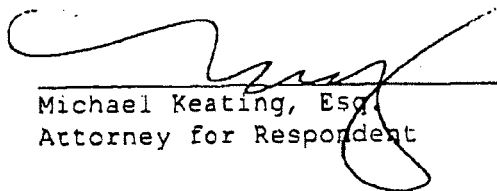

George Scott, D.P.M., D.O.
President

I have read and understood the within Order and agree to be bound by its terms.



Ranajit Mitra, M.D.

Consent is hereby given as to the form and entry of this Order.



Michael Keating, Esq.
Attorney for Respondent