

1 practicing the profession with negligence on more than one occasion, ten (10) counts of gross
2 negligence, one (1) count of practicing the profession with incompetence on more than one
3 occasion, ten (10) counts of gross incompetence, ten (10) counts of permitting or abetting the
4 unlicensed practice of medicine, ten (10) counts of willful or gross negligence, one (1) count of
5 moral unfitness, ten (10) counts of improper delegation, one count of failing to maintain an
6 accurate record, one (1) count of failing to exercise appropriate supervision and one (1) count of
7 excessive tests and treatments.

8 4. On March 11, 2014, Dr. Kuthuru surrendered his license to practice medicine in the
9 state of New York while under investigation to the New York Board.

10 5. On March 17, 2014, the New York Board issued an order accepting Dr. Kuthuru's
11 surrender of his license to practice medicine in the state of New York.

12 **C. Federal Indictment of Dr. Kuthuru**

13 6. On February 26, 2014, the United States District Court for the Northern District of
14 New York issued a Superseding Indictment charging Dr. Kuthuru with thirty (30) counts of health
15 care fraud, one (1) count of conspiracy and fourteen (14) counts of illegal distribution of schedule
16 II controlled substances.

17 7. The indictment alleges that Dr. Kuthuru owned and operated Upstate Pain
18 Management in Utica, New York while living and working in Las Vegas, Nevada. It is alleged
19 that Dr. Kuthuru employed only physician assistants, nurse practitioners and medical assistants in
20 his New York practice. Dr. Kuthuru occasionally visited his New York office. However, during
21 his absence there was no medical doctor present when the physician assistants, nurse practitioners
22 and medical assistants were rendering medical services to patients. It is alleged that Dr. Kuthuru
23 sought reimbursement for services provided by himself or a licensed non-physician acting under
24 Dr. Kuthuru's direct supervision when the services were never provided by Dr. Kuthuru or a
25 licensed non-physician whom Dr. Kuthuru directly supervised. It is further alleged that
26 Dr. Kuthuru prescribed controlled substances without a legitimate medical purpose and acted
27 outside the usual course of professional practice.

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