BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF NEVADA

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In The Matter of an Investigation of FILED 5 VINAY KUMAR BARARIA, M.D., 6 JUL 2 4 2012 NEVADA STATE BOARD OF 7 License No. 11355 MEDIÇAL 8v: 8

ORDER OF SUMMARY SUSPENSION

10 Prior the preparation of this Order of to Summary Suspension, the Nevada State Board of Medical Examiners (Board) staff presented evidence and information to an Investigative Committee of the Board, composed of Theodore B. Berndt, M.D., Chairman, 12 Valerie J. Clark, BSN, RHU, LUTCF, Member, and Michael J. Fischer, M.D., Member, regarding Vinay Kumar Bararia, M.D. (Dr. Bararia). Upon review of the evidence and information presented by Board staff, the Investigative Committee hereby IMMEDIATELY SUSPENDS Dr. Bararia's license to practice medicine in the state of Nevada pursuant to Nevada Revised Statutes (NRS) 630.326(1), based upon the following preliminary findings:

18 1. Dr. Bararia is a physician licensed to practice medicine in the state of Nevada and 19 was originally licensed on March 4, 2005. Dr. Bararia practices medicine in the Las Vegas area and his primary specialty is listed with the Board as internal medicine. 20

21 2. On or about March 2, 2012, Dr. Bararia was arrested on a criminal Complaint in 22 United States District Court, District of Nevada, for Conspiracy to Distribute a Controlled 23 Substance. That Complaint detailed five (5) different undercover officer illegal purchases of 24 controlled substances from Dr. Bararia. On that same day, as part of the Order Setting Conditions 25 of Release, Dr. Bararia voluntarily surrendered his Drug Enforcement Administration certificate of registration, in writing, and was prohibited from ordering, possessing, dispensing or prescribing 26 any controlled substances. 27

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OFFICE OF THE GENERAL COUNSEL

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(775) 688-2559 14 3. Upon information and belief, on or about March 7, March 14, March 15, March 16, March 26, March 27, March 28, April 2, April 5, April 9 and April 13, 2012, Dr. Bararia violated the conditions of his pretrial release by ordering scheduled controlled substances at Centennial Hills Hospital, or otherwise prescribing scheduled controlled substances, in Las Vegas, Nevada.

4. As a result, Dr. Bararia was re-arrested on or about May 3, 2012 for violating the terms of his pretrial release. It is believed that Dr. Bararia is no longer incarcerated.

5. On or about June 26, 2012, an indictment issued against Dr. Bararia in United States District Court, District of Nevada, charging him with Conspiracy Distribute Controlled Substance. Five to a (5) counts of Distribution of a Controlled Substance, Possession with Intent to distribute of [sic] a Controlled Substance and Five (5) counts of Conspiracy to Distribute Oxycodone.

As a result of the foregoing, the Investigative Committee reasonably determines and believes that due to Dr. Bararia's alleged violations of the conditions and terms of his pretrial release, and including the initial and repeated illegal sales of controlled substances and the blatant violation of federal and state prescribing controlled substances' laws, the health, safety and welfare of the public is at imminent risk of harm and that a summary suspension of Dr. Bararia's license to practice medicine is necessary to remove said risk of imminent harm to the health, safety and welfare of the public.

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Accordingly, pursuant to NRS 630.326(1):

IT IS HEREBY ORDERED that the license to practice medicine in the state of Nevada
of Vinay Kumar Bararia, M.D. (License No. 11355) is HEREBY SUSPENDED until further
order of the Investigative Committee or Board; and,

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OFFICE OF THE GENERAL COUNSEL Nevada State Board of Medical Examiners 1105 Terminal Way #301 Reno, Nevada 89502 (775) 688-2559	1 2 3 4 5 6 7 8 9 10 11	IT IS FURTHER ORDERED that a hearing be set within forty-five (45) days of this Order, pursuant to NRS 630.326(2), to determine whether this suspension may continue, unless the parties mutually agree to a different or divergent time frame. DATED this $\frac{\partial 4^{+tr}}{\partial t}$ day of July, 2012. INVESTIGATIVE COMMITTEE OF THE NEVADA STATE BOARD OF MEDICAL EXAMINERS By: $\partial 4 \partial d d d d d d d d d d d d d d d d d $
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