

## AGENDA ITEM 8

BEFORE THE BOARD OF MEDICAL EXAMINERS  
OF THE STATE OF NEVADA

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In The Matter of an Investigation of )  
 )  
VINAY KUMAR BARARIA, M.D., )  
 )  
License No. 11355 )

FILED

JUL 24 2012

NEVADA STATE BOARD OF  
MEDICAL EXAMINERS  
By: 

ORDER OF SUMMARY SUSPENSION

Prior to the preparation of this Order of 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, 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:

1. Dr. Bararia is a physician licensed to practice medicine in the state of Nevada and 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.

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

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OFFICE OF THE GENERAL COUNSEL

Nevada State Board of Medical Examiners

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

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

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

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

20           Accordingly, pursuant to NRS 630.326(1):

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

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1           **IT IS FURTHER ORDERED** that a hearing be set within forty-five (45) days of this  
2 Order, pursuant to NRS 630.326(2), to determine whether this suspension may continue, unless  
3 the parties mutually agree to a different or divergent time frame.

4           DATED this 24<sup>th</sup> day of July, 2012.

5                               INVESTIGATIVE COMMITTEE OF THE  
6                               NEVADA STATE BOARD OF MEDICAL EXAMINERS

7           By: Theodore B. Berndt

8                               Theodore B. Berndt, M.D.  
9                               Chairman, Investigative Committee

1                   **BEFORE THE BOARD OF MEDICAL EXAMINERS**  
2                   **OF THE STATE OF NEVADA**

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6   **In the Matter of the License of        )**  
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License No. 11355

**FILED**

**MAR 13 2013**

**NEVADA STATE BOARD OF  
MEDICAL EXAMINERS**  
By: 

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12                   **ORDER ACCEPTING VOLUNTARY SURRENDER OF LICENSE**

13                   The voluntary surrender of the license to practice medicine of  
14 Vinay Kumar Bararia, M.D., came on before the Nevada State Board of Medical Examiners,  
15 hereinafter "Board," for consideration at a regularly scheduled meeting of the Board on  
16 March 8, 2013, at the Board's offices located at 1105 Terminal Way, Suite 301, Reno, Nevada,  
17 89502, and by video conference at the offices of the Nevada State Board of  
18 Dental Examiners located at 6010 S. Rainbow Boulevard, Building A, Suite 1,  
19 Las Vegas, Nevada 89118. Licensee Vinay Kumar Bararia, M.D. (Dr. Bararia) was not present.

20                   The members of the Board participating in the decision were:  
21 Benjamin J. Rodriguez, M.D., Beverly A. Neyland, M.D., Ms. Donna A. Ruthe,  
22 Mrs. Sue Lowden, Bashir Chowdhry, M.D. and Wayne Hardwick, M.D. Harry B. Ward, J.D.,  
23 Deputy Attorney General, acted as legal counsel to the Board.

24                   The Board, having received Dr. Bararia's wallet license, wall certificate and affidavit and  
25 after considering those materials provided, enters the following order:

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**IT IS HEREBY ORDERED** that the voluntary surrender of Dr. Bararia's license to practice medicine in the state of Nevada is accepted. This voluntary surrender is considered to have been made while under investigation.

Dated this 8<sup>th</sup> day of March, 2013.

NEVADA STATE BOARD OF MEDICAL EXAMINERS

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Benjamin J. Rodriguez, M.D.  
President