



***New York State Board for Professional Medical Conduct***

*433 River Street, Suite 303 • Troy, New York 12180-2299 • (518) 402-0863*

Antonia C. Novello, M.D., M.P.H., Dr. P.H.  
*Commissioner  
NYS Department of Health*

Dennis P. Whalen  
*Executive Deputy Commissioner  
NYS Department of Health*

Dennis J. Graziano, Director  
*Office of Professional Medical Conduct*

**PUBLIC**

William P. Dillon, M.D.  
*Chair*

Denise M. Bolan, R.P.A.  
*Vice Chair*

Ansel R. Marks, M.D., J.D.  
*Executive Secretary*

May 25, 2001

***CERTIFIED MAIL-RETURN RECEIPT REQUESTED***

Divakar Reddy Krishnareddy, M.D.  
511 Ruin Creek Road  
Suite 108  
Henderson, NC 27536

RE: License No. 134219

Dear Dr. Krishnareddy:

Enclosed please find Order #BPMC 95-300 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect May 25, 2001.

If the penalty imposed by the Order is a surrender, revocation or suspension of this license, you are required to deliver to the Board the license and registration within five (5) days of receipt of the Order to Board for Professional Medical Conduct, New York State Department of Health, Hedley Park Place, Suite 303, 433 River Street, Troy, New York 12180.

Sincerely,

Ansel R. Marks, M.D., J.D.  
Executive Secretary  
Board for Professional Medical Conduct

Enclosure

cc: Barbara A. Ryan, Esq.  
Harrison, Rappaport, Feinstein and Deutsch, LLP  
757 Third Avenue  
New York, NY 10017

Anthony Benigno, Esq.

STATE OF NEW YORK : DEPARTMENT OF HEALTH  
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

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IN THE MATTER : APPLICATION TO  
OF : MODIFY ORDER  
DIVAKAR REDDY KRISHNAREDDY, M.D. : BMC # 95-300

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DIVAKAR REDDY KRISHNAREDDY, M.D., Respondent, states that I was authorized to practice medicine in New York State on April 21, 1978, by the issuance of License No. 134219 by the New York State Education Department.

I am not currently registered with the New York State Education Department to practice in the State of New York. My address is 511 Ruin Creek Road, Suite 108, Henderson, North Carolina 27536.

I am the subject of Order No. BMC 95-300 annexed hereto, made a part hereof, and marked as Exhibit 1. I am applying to the State Board for Professional Medical Conduct for an Order (henceforth "Modification"), modifying the original order with the removal of the restriction on my license which precluded me from practicing surgery in the State of New York. This application to modify the prior order is based upon the fact that I do not intend to return to medical practice in the State of New York, and upon the understanding that this modification order will be a revision of the original order's sanction. The modification order to be issued will not constitute a new disciplinary action against me, but will remove the restriction on my license which precluded me from practicing surgery in the State of New York.

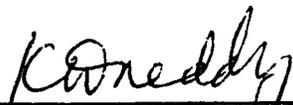
I make this application to the State Board for Professional Medical Conduct (Board) and request that it be granted.

I understand that, in the event that the application is not granted by the Board, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me.

I make this application to the Board and request that it be granted by execution by the Chairperson of the Board of the attached modification order.

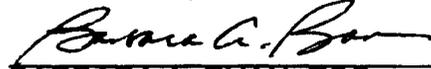
I am making this application of my own free will and accord and not under duress, compulsion or restraint of any kind or manner. In consideration of the Board's granting of this application to modify my prior consent order, I fully, freely waive any right I may have to appeal or otherwise challenge the validity of the said modification order.

DATE: 5/31, 2001

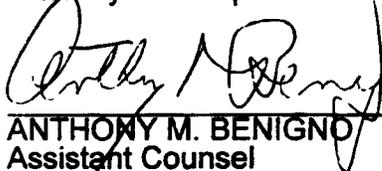
  
DIVAKAR REDDY KRISHNAREDDY, M.D.  
Respondent

The undersigned agree to the attached application of the Respondent to modify the original order and to remove the limitation on his medical license which precluded him from practicing surgery in the State of New York.

Date: May 4, 2001

  
BARBARA A. RYAN, ESQ.  
Attorney for Respondent

Date: May 7, 2001

  
ANTHONY M. BENIGNO  
Assistant Counsel  
Bureau of Professional Medical Conduct

Date: May 21, 2001

  
DENNIS J. GRAZIANO  
Director  
Office of Professional Medical Conduct

STATE OF NEW YORK : DEPARTMENT OF HEALTH  
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

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IN THE MATTER : MODIFICATION  
OF : ORDER  
DIVAKAR REDDY KRISHNAREDDY, M.D. : BPMC # 95-300

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Upon the application of DIVAKAR REDDY KRISHNAREDDY, M.D.,  
(Respondent) to modify a prior order and remove the limitation of his license which  
precluded him from practicing surgery in the State of New York.

ORDERED, that the application and the provisions thereof are adopted; it  
is further

ORDERED, that Order BPMC 95-300 is modified to remove the limitation of  
Respondent's license which precluded him from practicing surgery in the State of  
New York.; and it is further

ORDERED, that this order shall take effect as of the date of the personal  
service of this order upon Respondent, upon receipt by Respondent of this order  
via certified mail, or seven days after mailing of this order via certified mail,  
whichever is earliest.

SO ORDERED.

Dated: 5/24/01

  
WILLIAM P. DILLON, M.D.  
Chair  
State Board for Professional  
Medical Conduct



**New York State Board for Professional Medical Conduct**

Corning Tower • Empire State Plaza • Albany, NY 12237 • (518) 474-8357

Barbara A. DeBuono, M.D., M.P.H.  
Commissioner of Health

Charles J. Vacanti, M.D.  
Chair

December 11, 1995

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Divakar Reddy Krishnareddy, M.D.  
Center Orthopedic Surgical & Medical Group, Inc.  
340 West Central Avenue, Suite 126  
Brea, California 92621-3093

RE: License No. 134219

Dear Dr. Krishnareddy:

Enclosed please find Order #BPMC 95-300 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect upon receipt of this letter or seven (7) days after the date of this letter, whichever is earlier.

If the penalty imposed by the Order is a surrender, revocation or suspension of this license, you are required to deliver to the Board the license and registration within five (5) days of receipt of the Order.

Board for Professional Medical Conduct  
New York State Department of Health  
Empire State Plaza  
Tower Building-Room 438  
Albany, New York 12237-0756

Sincerely,

Charles Vacanti, M.D.  
Chair  
Board for Professional Medical Conduct

Enclosure

cc: Barbara A. Ryan, Esq.  
Aaronson Rappaport Feinstein & Deutsch  
757 Third Avenue  
New York, New York 10017

Ann Gayle, Esq.

EXHIBIT 1

NEW YORK STATE DEPARTMENT OF HEALTH  
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER  
OF

**DIVAKAR REDDY KRISHNAREDDY, M.D.**

CONSENT  
ORDER

BPMC #95-300

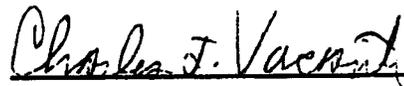
Upon the application of Divakar Reddy Krishnareddy, M.D. (Respondent) for Consent Order, which application is made a part hereof, it is

ORDERED, that the application and the provisions thereof are hereby adopted and so ORDERED, and it is further

ORDERED, that this order shall take effect as of the date of the personal service of this order upon Respondent, upon receipt by Respondent of this order via certified mail, or seven days after mailing of this order by certified mail, whichever is earliest.

SO ORDERED.

DATED: 7 December 1995



CHARLES J. VACANTI, M.D.  
Chairperson  
State Board for Professional  
Medical Conduct

NEW YORK STATE DEPARTMENT OF HEALTH  
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER  
OF  
DIVAKAR REDDY KRISHNAREDDY, M.D.

APPLICATION  
FOR  
CONSENT ORDER

STATE OF CALIFORNIA )  
COUNTY OF *DRAUGHT* ss.:

Divakar Reddy Krishnareddy, M.D., being duly sworn, deposes and says:

That on or about April 21, 1978, I was licensed to practice as a physician in the State of New York, having been issued License No. 134219, by the New York State Education Department.

My current address is Center Orthopedic Surgical & Medical Group, Inc., 340 West Central Avenue, Suite 126, Brea, California 92621-3093, and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

I understand that the New York State Board for Professional Medical Conduct has charged me with one specification of professional misconduct.

A copy of the Statement of Charges is annexed hereto, made a part hereof, and marked as Exhibit "A".

I admit guilt to the first specification, in full satisfaction of the charges against me. I hereby agree to the penalty, pursuant to Public Health Law §230-a(3), of a limitation of my New York State medical license to a specified area or type of practice, to the extent that I shall not be permitted to practice surgery in the State of New York.

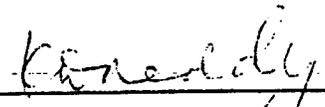
I hereby make this Application to the State Board for Professional Medical Conduct (the Board) and request that it be granted.

I understand that, in the event that this Application is not granted by the

Board, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me, such Application shall not be used against me in any way and shall be kept in strict confidence during the pendency of the professional misconduct disciplinary proceeding; and such denial by the Board shall be made without prejudice to the continuance of any disciplinary proceeding and the final determination by the Board pursuant to the provisions of the Public Health Law.

I agree that, in the event the Board grants my Application, as set forth herein, an order of the Chairperson of the Board shall be issued in accordance with same.

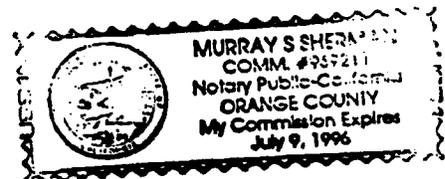
I am making this Application of my own free will and accord and not under duress, compulsion or restraint of any kind or manner.

  
\_\_\_\_\_  
DIVAKAR REDDY KRISHNAREDDY, M.D.  
RESPONDENT

Sworn to before me this  
day of \_\_\_\_\_, 1995.

\_\_\_\_\_  
NOTARY PUBLIC

STATE OF CALIFORNIA  
COUNTY OF ORANGE



APPEARED AND SWORN (OR AFFIRMED) TO  
BEFORE ME THIS 24 DAY OF Nov 19 95

  
\_\_\_\_\_  
NOTARY

NEW YORK STATE DEPARTMENT OF HEALTH  
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER  
OF  
DIVAKAR REDDY KRISHNAREDDY, M.D.

APPLICATION  
FOR  
CONSENT ORDER

The undersigned agree to the attached application of the Respondent and to the proposed penalty based on the terms and conditions thereof.

DATE: 11/24/95

K. Reddy

DIVAKAR REDDY KRISHNAREDDY, M.D.  
Respondent

DATE: 11/27/95

Barbara A. Ryan

BARBARA A. RYAN, ESQ.  
Attorney for Respondent

DATE: 11/29/95

Ann Gayle

ANN GAYLE, ESQ.  
Associate Counsel  
Bureau of Professional  
Medical Conduct

DATE: Dec. 5, 1995

*Kathleen M. Tanner*

*Acting*  
~~KATHLEEN M. TANNER~~  
Director  
Office of Professional Medical  
Conduct

DATE: 7 December 1995

*Charles J. Vacanti*

CHARLES J. VACANTI, M.D.  
Chairperson  
State Board for Professional  
Medical Conduct

IN THE MATTER

OF

DIVAKAR REDDY KRISHNAREDDY, M.D.

STATEMENT

OF

CHARGES

Divakar Reddy Krishnareddy, M.D., the Respondent, was authorized to practice medicine in New York State on or about April 21, 1978, by the issuance of license number 134219 by the New York State Education Department.

### FACTUAL ALLEGATIONS

- A. On or about July 5, 1994, Respondent, in a Stipulation and Decision of the Medical Board of California (the Board), admitted that each of the allegations in the accusation against him was true, and that cause existed to impose discipline against him. The allegations were, *inter alia*, that he had practiced medicine with gross negligence, repeated negligence, and incompetence, with regard to two patients, in violation of Sections 2234(b), (c) and (d) of the California Business and Professions Code, based on the following: (1) As a result of Respondent's mismanagement of the bipolar type hip replacement surgery and insertion of a prosthesis, which he performed upon the patient, Walentina Z, the patient had an excessive amount of leg lengthening which may have also been the cause of her sciatic nerve damage and postoperative foot drop. (2) Despite the need to explore patient, John M's right L4-5 disc, Respondent, at the time that he performed a decompression lumbar laminectomy and foraminotomy, explored the patient's left L4-5 disc. As a result of Respondent's failure to explore the patient's L4-5 disc on the

EXHIBIT "A"

correct side, and his failure to catch his own error, this patient had to undergo additional surgery (by another physician) to correct his condition.

- B. On or about October 13, 1994, the Board, in the aforesaid Stipulation and Decision of the Board, ordered that Respondent's Physician's and Surgeon's license be revoked, but that the revocation be stayed and Respondent be placed on probation for five years with the following conditions: Respondent was to, *inter alia*, (1) pay \$5,000 as the costs of investigation and prosecution of the accusation, (2) within 30 days of the effective date of the order, take and pass an oral clinical exam in orthopedics, (3) not practice medicine until he passed the aforesaid exam, (4) have his practice monitored by another physician, and (5) take 25 hours per year (for each year of his probation) of additional CME than is required for relicensure.

### **SPECIFICATION OF CHARGES**

#### **FIRST SPECIFICATION**

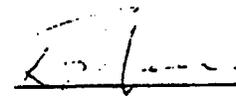
#### **HAVING HAD DISCIPLINARY ACTION TAKEN**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(9)(d)(McKinney Supp. 1995) by having his or her license to practice medicine revoked, suspended or having other disciplinary action taken, or having his or her application for a license refused, revoked or suspended or having voluntarily or otherwise surrendered his or her license after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation, suspension or other disciplinary action

involving the license or refusal, revocation or suspension of an application for a license or the surrender of the license would, if committed in New York state, constitute professional misconduct under the laws of New York state (namely N.Y. Educ. Law §6530(3), (4), and/or (5)) as alleged in the facts of the following:

1. Paragraphs A and B.

DATED: July 3, 1995  
New York, New York



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ROY NEMERSON  
Deputy Counsel  
Bureau of Professional  
Medical Conduct