

**SUMMARY of the Decision of the Inquiries, Complaints and Reports Committee
(the Committee)**
(Information is available about the complaints process [here](#) and about the Committee [here](#))

**Dr. Mahmud Kara (CPSO #59474)
(the Respondent)**

INTRODUCTION

The Respondent scheduled the Complainant for a breast augmentation surgery. The Complainant paid for the surgery in advance.

The surgery did not occur as the Respondent took a leave of absence and then subsequently closed his practice in the summer of 2021.

The Complainant contacted the College of Physicians and Surgeons of Ontario (the College) to express concerns about the Respondent's care and conduct.

COMPLAINANT'S CONCERNS

The Complainant is concerned with the conduct of the Respondent in that he has inappropriately cancelled her breast augmentation surgery three times at the last minute after taking full payment for her procedure and did not provide a refund. She is no longer able to connect with the office, as her email is blocked and the office telephone numbers are no longer in service.

COMMITTEE'S DECISION

The Committee considered this matter at its meeting of May 8, 2023. The Committee required the Respondent to appear before a Panel of the Committee to be cautioned with respect to his failure to abide by obligations and responsibilities regarding temporary absences or closing of a medical practice while ensuring continuity of patient care, including not communicating with patients and not following the College policy, *Closing a Medical Practice*. The Committee also decided to accept an undertaking that is now posted on the public register.

COMMITTEE'S ANALYSIS

As part of this investigation, the Committee retained an independent Assessor who specializes in plastic surgery. The Assessor expressed the view that, contrary to the College's policy, *Closing a Medical Practice*, the Respondent did not have a proactive plan for his office's closure and he made little or no attempt to either help the Complainant receive medical care from another surgeon, or to provide timely refunds so

she could seek out another surgeon directly. In this way, the abrupt closure of the Respondent's practice and his out-of-hospital facility did not meet the standard of care.

The Committee concurred with this view and decided to caution the Respondent in regard to this aspect of his care and to accept the undertaking.