

**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 September 2021 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, regarding a plastic surgery procedure scheduled for September 2021. Specifically, the Respondent:

- **inappropriately cancelled her surgery without providing any additional direction, follow-up, reasoning, or contact from his office;**
- **inappropriately took payment for surgery he did not perform, and failed to reimburse her for the surgery she had fully paid for; and,**
- **inappropriately closed all of his offices abruptly without providing notice.**

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.