

**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 carried out breast augmentation, mesh revision and blepharoplasty on the Complainant. The Complainant was not satisfied with the results of the surgeries. The Respondent recommended further treatment and documented the possibility of refunding the Complainant's money.

The Respondent took a leave of absence from his practice in July 2021. He subsequently closed his plastic surgery clinics.

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 about the care and conduct of the Respondent after she saw him for breast augmentation and eye surgery. Specifically, the Respondent:

- **Failed to properly perform the Complainant's breast augmentation and eye surgery, as the breast surgery required revision in August 2020 and a mesh bra (that has since failed), and the Complainant is left with asymmetrical breasts and eyes and permanent scarring**
- **Inappropriately told the Complainant that he could fix her lazy eye, then in August 2020 changed the treatment at the last minute while the Complainant was on the operating room table**
- **Failed to complete nine treatments that the Complainant paid for, including laser treatments and surgery to her lower eye**
- **Failed to provide appropriate post-operative follow-up care in that it took one year for the Respondent to see the Complainant after her first post-operative appointment, he has not returned any of the Complainant's calls, and he has now closed his office without providing notice or coverage**
- **Failed to give the Complainant all her money back as he promised to do.**

COMMITTEE'S DECISION

The Committee considered this matter at its meeting of August 8, 2023. The Committee required the Respondent to appear before a Panel of the Committee to be cautioned with respect to:

1. His failure to abide by the obligations and responsibilities regarding temporary absences or closing of a medical practice to ensure continuity of patient care, including communicating with patients and his failure to follow College policy, *Closing a Medical Practice*
2. His failure to document discussions with patients regarding consent to treatment, being sure to document the discussions of planned operative management, the risks and benefits of the planned procedure, as well as the goals and expectations
3. His failure to ensure proper delegation, including explicit communication of delegates' obligations and responsibilities.

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 opined that the Respondent did not display a lack of knowledge, skill or judgement in regard to the breast augmentation and blepharoplasty he carried out on the Complainant. The Committee decided to take no action on this aspect of the complaint.

The Committee took no action on the Complainant's concerns that the Respondent told her he could fix her lazy eye and that he failed to refund her money after promising to do so.

Consent and delegation

The Assessor noted that there was no indication in the medical record that the Respondent discussed the risks and benefits of fat grafting with the Complainant. The Assessor also found that the record lacked a detailed pre-operative eyelid examination.

The Respondent stated that he recognized the need to improve his record keeping and informed consent process generally. He acknowledged that these issues stemmed in

part from his delegating record keeping to subordinates and that too much of his practice was delegated. The Committee decided to caution the Respondent for his failure to document the consent discussion and in regard to proper delegation.

Closing the medical practice

The Assessor expressed the view that, due to the closure of the Respondent's office, the Complainant did not have satisfactory resolution of her breast and eyelid aesthetic concerns. In failing to assist her in getting care elsewhere once he closed his practice, the Respondent's overall treatment of the Complainant 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.