

**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 College received information raising concerns the Respondent had abruptly closed his surgical facility – an out-of-hospital premises (OHP). The Respondent, who practised out of his own self-named clinics as well as the surgical facility, took a leave of absence and then subsequently closed his practice in the summer of 2021.

Subsequently, the Committee approved the Registrar’s appointment of investigators to conduct a broad review of the Respondent’s practice.

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:

1. 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*.
2. His failure to comply with OHP standards and fulfill his role of Medical Director

The Committee also decided to accept an undertaking that is now posted on the public register.

COMMITTEE’S ANALYSIS

The Respondent was not the named Medical Director of his OHP at the time of his practice closure. He had requested another physician take on this title in 2019. As a result of the College’s investigation, the Committee was of the opinion that the Respondent made this change to skirt the standards and related supervision of the College’s OHP Inspection Program. The Respondent appointed a different Medical Director while maintaining the duties and responsibilities of this role and then did not uphold those duties.

The Committee was also of the view that when the Respondent closed his practices without following the College policy, *Closing a Medical Practice*, he abandoned patients who either had surgeries scheduled or ongoing concerns requiring clinical care and follow-up. He did not direct these patients elsewhere for care and this created a high-risk situation.

Additionally, many of the Respondent's patients had either provided deposits or payments in full to the Respondent for the procedures they were scheduled to undergo. When the Respondent closed his practice, he retained patients' surgical fees without providing care. While the Respondent eventually returned these payments and deposits, the delay caused disruption to his patient's surgical plans as well as possible financial hardship.

Based on the above, the Committee decided to require the Respondent to appear before a Panel of the Committee to be cautioned.