

**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 November 2021 abdominoplasty (tummy tuck). The Complainant paid a deposit towards the cost of the surgery.

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

COMPLAINANT'S CONCERNS

The Complainant is concerned that the Respondent booked her for tummy tuck surgery to take place on November 3, 2021, and charged her the deposit and then closed his offices without notice or refund.

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 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 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 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.

The Committee was also concerned about the Respondent's delegation of the Complainant's pre-operative care. The Respondent never saw the Complainant before having his staff schedule her for an abdominoplasty. He instead had his staff assess and discuss surgical options with the Complainant. This over-delegation of care is particularly concerning to the Committee given that it occurred during a period when the Respondent reported a decreased ability to work, calling into question whether he was providing the necessary oversight and supervision to staff. This is inadequate care which could put patients at risk.

As such, the Committee has determined that it was appropriate to caution the Respondent in person, with respect to these failings.