

**IN AND BEFORE THE OKLAHOMA STATE BOARD
OF MEDICAL LICENSURE AND SUPERVISION
STATE OF OKLAHOMA**

FILED

STATE OF OKLAHOMA)
EX REL. THE OKLAHOMA BOARD)
OF MEDICAL LICENSURE)
AND SUPERVISION,)
)
Plaintiff,)
)
v.)
)
GREGORY CHARLES KHOURY, M.D.,)
LICENSE NO. 13298,)
)
Defendant.)

MAR 25 2011

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 11-02-4163

COMPLAINT

COMES NOW the Plaintiff, the State of Oklahoma ex rel. the Oklahoma State Board of Medical Licensure and Supervision (the "Board"), by and through its attorney, Elizabeth A. Scott, Assistant Attorney General, and for its Complaint against the Defendant, Gregory Charles Khoury, M.D., alleges and states as follows:

1. The Board is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of physicians and surgeons in the State of Oklahoma pursuant to 59 Okla. Stat. §480 *et seq.*

2. Defendant, Gregory Charles Khoury, M.D., holds Oklahoma license no. 13298 and at the time of the incidents in question, practiced as a psychiatrist in Louisiana.

3. On or about November 12, 2009, Defendant was indicted in the United States District Court for the Eastern District of Louisiana. Defendant was charged with fifty-eight (58) counts of health care fraud in violation of 18 U.S. Section 1347, a felony. Specifically, Defendant was charged with fraudulent billing in the amount of \$1,357,618.14.

4. On or about June 15, 2010, Defendant plead guilty to Count 1 of the Superseding Indictment charging him with health care fraud. In return for his guilty plea, the United States agreed to dismiss the remaining fifty-seven (57) counts at the time of sentencing.

5. On or about August 18, 2010, the Court accepted Defendant's plea agreement and found him guilty of Count 1 of the Superseding Indictment.

6. On or about February 9, 2011, judgment was entered against Defendant and he was sentenced to Imprisonment for thirty (30) months, restitution in the amount of \$1,012,809.19, and supervised probation for a term of three (3) years upon release from prison.

7. Defendant is guilty of unprofessional conduct in that he:

A. Procured, aided or abetted a criminal operation in violation of 59 O.S. §509(1).

B. Engaged in dishonorable or immoral conduct which is likely to deceive, defraud or harm the public in violation of 59 O.S. §509(8) and OAC 435:10-7-4(11).

C. Violated any provision of the medical practice act or the rules and regulations of the Board or of an action, stipulation, or agreement of the Board in violation of 59 O.S. §509(13) and OAC 435:10-7-4(39).

D. Was convicted of a felony or any offense involving moral turpitude in violation of 59 O.S. §509(5) and OAC 435:10-7-4(10).

E. Engaged in the use of any false, fraudulent, or deceptive statement in any document connected with the practice of medicine and surgery in violation of OAC 435:10-7-4(19).


F. Obtained any fee by fraud, deceit, or misrepresentation, including fees from Medicare, Medicaid or insurance in violation of OAC 435:10-7-4(28).

G. Committed any act which is a violation of the criminal laws of any state when such act is connected with the physician's practice of medicine in violation of 59 O.S. §509(9).

Conclusion

WHEREFORE, the Plaintiff respectfully requests that the Board conduct a hearing, and, upon proof of the allegations contained herein, impose such disciplinary action as authorized by law, up to and including suspension or revocation and any other appropriate action with respect to Defendant's medical license, and an assessment of costs and attorney's fees incurred in this action as provided by law.

Respectfully submitted,



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