

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

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

FILED

MAY 19 2011

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 11-02-4163

VOLUNTARY SURRENDER OF LICENSE
IN LIEU OF PROSECUTION

State of La.)
Tangipahoa County)
Parish)

I, Gregory Charles Khoury, M.D., being of lawful age and after first being duly sworn, depose and state as follows:

1. I hereby voluntarily surrender my Oklahoma medical license no. 13298.
2. The surrender of my license is freely and voluntarily made. I have not been subject to any coercion or duress, and I am fully aware of the consequences of the surrender of my license.
3. I am the subject of an investigation by the Oklahoma State Board of Medical Licensure and Supervision involving allegations that if proven, would constitute grounds for disciplinary action by the Board.
4. The allegations to which I have plead guilty are as follows:
 - A. Defendant, Gregory Charles Khoury, holds Oklahoma license no. 13298, and is authorized to practice as a physician in the State of Oklahoma. At the time of the incidents in question, Defendant was practicing as a psychiatrist in Louisiana.

- B. 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.
- C. 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.
- D. On or about August 18, 2010, the Court accepted Defendant's plea agreement and found him guilty of Count 1 of the Superseding Indictment.
- E. 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.
- F. Defendant is guilty of unprofessional conduct in that he:
- i. Procured, aided or abetted a criminal operation in violation of 59 O.S. §509(1).
 - ii. 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).
 - iii. 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).
 - iv. 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).
 - v. 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).
 - vi. Obtained any fee by fraud, deceit, or misrepresentation, including fees from Medicare, Medicaid or insurance in violation of OAC 435:10-7-4(28).

vii. 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).

5. I hereby submit my wallet card and wall certificate as evidence of my intent to surrender my license.

6. I hereby agree that I will not apply for reinstatement of my Oklahoma medical license for a minimum of one year from the entry of the Order Accepting Voluntary Surrender in Lieu of Prosecution, and that if the Board ever reinstates my Oklahoma medical license, it will be under terms of probation to be set by the Board at the time of reinstatement.

7. As a condition to accepting my surrender of license in lieu of prosecution, I acknowledge that the Board may require me to pay all costs expended by the Board for any legal fees and costs, and any investigation, probation and monitoring fees, including but not limited to staff time, salary and travel expense, witness fees and attorney fees.

DATED this 6 day of April, 2011.

Gregory Charles Khoury, M.D.
Gregory Charles Khoury, M.D.



Subscribed and sworn before me this 6 day of April, 2011.

Janet Swindle
Notary Public

My commission expires on 8-22-2014

Gerald C. Zumwalt, M.D.
Gerald C. Zumwalt, M.D.
Secretary
Oklahoma State Board of Medical
Licensure and Supervision

ACCEPTED:

Date: 5-19-11