

IN AND BEFORE THE STATE BOARD OF MEDICAL EXAMINERS

STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel, )  
STATE BOARD OF MEDICAL )  
EXAMINERS, )  
 )  
Plaintiff, )  
 )

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v.

GAMAL K. GARAS, M.D.,  
Medical License No. 14600,  
  
Defendant.

STATE BOARD  
MEDICAL EXAMINERS

FINAL ORDER

This cause came on for hearing before the Oklahoma Board of Medical Examiners en banc on January 31, 1986, at 5104 N. Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

Daniel J. Gamino, Attorney, appeared for the Plaintiff and Defendant did not appear, either in person or by representative or by any pleading or correspondence.

The Board of Medical Examiners en banc heard the testimony and reviewed exhibits and being fully advised in the premises, the Board of Medical Examiners therefore finds as follows:

FINDINGS OF FACT

1. That Gamal K. Garas, M.D., holds Oklahoma Medical License No. 14600.

2. That the Board of Medical Examiners en banc has jurisdiction over the subject matter herein and that notice has been given in all respects as required by law and the rules of the Board.

3. That service of process on the Defendant was obtained by publication of Notice by Publication and by Affidavit for Service by Publication both filed in the Journal Record in Oklahoma County on December 10, December 17, and December 24, 1985, as required by Oklahoma law.

4. That on or around May 3, 1985, the Defendant was convicted of a felony of knowingly and willfully making and causing to be made a false statement of material fact in an application for payment under Subchapter XVIII Health Insurance For Aged and Disabled (Medicare), said application being a Request for Medicare Payment (No. 103407826) for patient Mae Brown, said false statement of a material fact being that the Defendant stated that he supplied anesthesia time of one (1) hour and performed an "Interpretation of Pulmonary Function Test" when, in fact, he did not perform those services and such conduct was in violation of Title 42 U.S. Code, §1395nn(a)(1), in the United States District Court for the Eastern District of Missouri in Case No. Sl-84-196CR(B). Defendant was sentenced to a period of imprisonment of five (5) years, which term of imprisonment was suspended and the Defendant was placed on probation for a period of three (3) years with special conditions of probation to include payment of a fine of Twenty Five Thousand Dollars (\$25,000.00).

5. That the aforesaid conviction has become final and the official court file does not reflect any appeal taken therefrom.

CONCLUSION OF LAW

1. That Gamal K. Garas, M.D., holding Oklahoma Medical License No. 14600, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1981, §509, Paragraph 6, to-wit:


"6. Conviction of a felony or of any offense involving moral turpitude."

ORDER

IT IS THEREFORE ORDERED by the Board of Medical Examiners of Oklahoma as follows:

1. That the Defendant, Gamal K. Garas, M.D., License No. 14600, should have his license revoked for the above violation and said license is hereby revoked.

DATED this 10th day of February, 1986.

  
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MARK R. JOHNSON M.D., Secretary  
State Board of Medical Examiners

APPROVED AS TO FORM:

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DANIEL J. GAMINO

CERTIFICATE OF MAILING

I hereby certify that on the 12<sup>th</sup> day of February, 1986, I deposited in the U.S. Mails, postage prepaid thereon, a true and correct copy of the above and foregoing instrument addressed to Gamal K. Garas, c/o of Matilde Guindy, 21 Damascus Street, Heliopolis, Egypt.

  
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