

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

FILED

JUN 29 2023

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

STATE OF OKLAHOMA, *ex rel.*)
OKLAHOMA STATE BOARD)
OF MEDICAL LICENSURE)
AND SUPERVISION,)

Plaintiff,)

v.)

Case No. 22-10-6166

DAN JOSHUA CASTRO, M.D.,)
LICENSE NO. MD 24230,)

Defendant.)

VOLUNTARY SURRENDER OF LICENSE IN LIEU OF PROSECUTION

^{Texas}
State of ~~Michigan~~)
Collin County) ss:

I, DAN JOSHUA CASTRO, M.D. ("Defendant"), being of lawful age and after first being duly sworn, depose and state as follows:

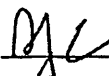
1. I am DAN JOSHUA CASTRO, M.D., holding Oklahoma Medical License No. 24230.
2. I hereby voluntarily surrender my Oklahoma medical license No. 24230, effective June 29, 2023. 59 O.S. 509.1(E), *et seq.*
3. The surrender of my license is freely and voluntarily made. I have not been subject to any coercion or duress, and I am fully aware of the consequences of the surrender of my license.
4. I admit that I am the subject of a proceeding by the Oklahoma State Board of Medical Licensure and Supervision ("Board") involving allegations which, if proven, would constitute grounds for disciplinary action by the Board.
5. On or about September 20, 2016, I operated on a patient as an otolaryngologist. After the operation I knowingly selected the wrong code when billing insurance for the procedure. The insurance company paid the greater amount. I entered a plea agreement with the Federal Government in which I plead guilty to the felony of making a false statement related to health care matters in violation of Title 18, United States Code, Section 1035(a)(2). As part of that plea agreement, I have agreed to surrender any medical licenses to practice medicine I have and to never seek a license to practice medicine in the future.

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6. I am guilty of unprofessional conduct by violating the following rules of professional conduct:
- a. Conviction or confession of, or plea of guilty, nolo contendere, no contest or Alford plea to a felony or any offense involving moral turpitude, in violation of 59 O.S. § 509(5) & Okla. Admin. Code § 435:10-7-4(3);
 - b. Dishonorable or immoral conduct which is likely to deceive, defraud, or harm the public, in violation of 59 O.S. § 509(8) & Okla. Admin. Code § 435:10-7-4(11);
 - c. The commission of 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. A complaint, indictment or confession of a criminal violation shall not be necessary for the enforcement of this provision. Proof of the commission of the act while in the practice of medicine or under the guise of the practice of medicine shall be unprofessional conduct, in violation of 59 O.S. § 509(9);
 - d. 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);
 - e. Obtaining any fee by fraud, deceit, or misrepresentation, including fees from Medicare, Medicaid, or insurance, in violation of OAC 435:10-7-4(28).
7. I hereby submit my wallet card and wall certificate as evidence of my intent to surrender my license. 59 O.S. § 509(E)(2).
8. As part of this agreement I am aware that I cannot, and affirmatively agree that I will not ever request reinstatement of my Oklahoma Medical License.
9. If the Board does not accept this Voluntary Surrender In Lieu of Prosecution the Plaintiff and Defendant (collectively, the "Parties") stipulate that it shall be regarded as null and void. Admissions by Defendant herein, if any, shall not be regarded as evidence against him in a subsequent disciplinary hearing. Defendant will be free to defend himself, and no inferences will be made from his willingness to have this Order accepted by the Board. The Parties stipulate that neither the presentation of the Order nor the Board's consideration of this Order shall be deemed to have unfairly or illegally prejudiced the Board or its individual members and, therefore, shall not be grounds for precluding the Board nor any individual Board member from further participation in proceedings related to the matters set forth herein.
10. As a condition to accepting my voluntary surrender of license in lieu of prosecution, I acknowledge that the Board shall require me to pay all costs expended by the Board for any legal fees and cost, any investigation, probation and monitoring fees, including but not limited to staff time, salary and travel expense, witness fees and attorney fees.

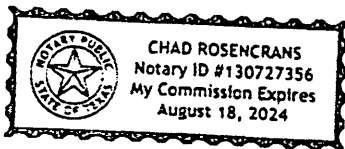
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Dated this 05 day of JUNE, 2023.

Dan Joshua Castro
DAN JOSHUA CASTRO, M.D.
License No. 24230

Subscribed and sworn before me this 5th day of June, 2023.



Chad Rosencrans
Notary Public
My commission expires: August 18, 2024
My commission number: 130727356

ACCEPTED:

Steven Katsis, M.D.
Steven Katsis, M.D., Board President
OKLAHOMA STATE BOARD OF MEDICAL
LICENSURE AND SUPERVISION

Dated this 29th day of June, 2023.

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