

**BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation)	
Against:)	
)	
)	
Ahmed Abo-Elkhier Serag, M.D.)	Case No. 800-2015-012416
)	
Physician's and Surgeon's)	
Certificate No. A 91166)	
)	
Respondent)	
_____)	

DECISION

The attached Stipulated Settlement and Disciplinary Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on May 18, 2018.

IT IS SO ORDERED: April 18, 2018.

MEDICAL BOARD OF CALIFORNIA



**Kristina D. Lawson, J.D., Chair
Panel B**

1. XAVIER BECERRA
Attorney General of California
2. ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
3. CHRISTINE A. RHEE
Deputy Attorney General
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600 West Broadway, Suite 1800
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6. San Diego, CA 92186-5266
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8. *Attorneys for Complainant*

10. **BEFORE THE**
11. **MEDICAL BOARD OF CALIFORNIA**
12. **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

13. In the Matter of the Accusation Against:
14. **AHMED ABO-ELKHIER SERAG, M.D.**
15. **890 S. Bluebird Circle**
Anaheim, CA 92807
16. **Physician's and Surgeon's Certificate**
17. **No. A91166**
18. Respondent.

Case No. 800-2015-012416

OAH No. 2017101163

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

19.
20. IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
21. entitled proceedings that the following matters are true:

22. **PARTIES**

23. 1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board
24. of California (Board). She brought this action solely in her official capacity and is represented in
25. this matter by Xavier Becerra, Attorney General of the State of California, by Christine A. Rhee,
26. Deputy Attorney General.

27. ///

28. ///

1 CULPABILITY

2 9. Respondent does not contest that, at an administrative hearing, Complainant could
3 establish a *prima facie* case with respect to the charges and allegations contained in Accusation
4 No. 800-2015-012416 and that he has thereby subjected his license to disciplinary action.

5 10. Respondent agrees that if he ever petitions for modification or early termination of
6 probation, or if an accusation and/or petition to revoke probation is filed against him before the
7 Medical Board of California, all of the charges and allegations contained in Accusation No. 800-
8 2015-012416 shall be deemed true, correct, and fully admitted by Respondent for purposes of any
9 such proceeding or any other licensing proceeding involving Respondent in the State of
10 California.

11 11. Respondent agrees that his Physician's and Surgeon's Certificate No. A91166 is
12 subject to discipline, and he agrees to be bound by the Board's probationary terms as set forth in
13 the Disciplinary Order below.

14 CONTINGENCY

15 12. This stipulation shall be subject to approval by the Board. The parties agree that this
16 Stipulated Settlement and Disciplinary Order shall be null and void and not binding upon the
17 parties unless approved and adopted by the Board, except for this paragraph, which shall remain
18 in full force and effect. Respondent fully understands and agrees that in deciding whether or not
19 to approve and adopt this Stipulated Settlement and Disciplinary Order, the Board may receive
20 oral and written communications from its staff and/or the Attorney General's Office.
21 Communications pursuant to this paragraph shall not disqualify the Board, any member thereof,
22 and/or any other person from future participation in this or any other matter affecting or involving
23 Respondent. In the event that the Board does not, in its discretion, approve and adopt this
24 Stipulated Settlement and Disciplinary Order, with the exception of this paragraph, it shall not
25 become effective, shall be of no evidentiary value whatsoever, and shall not be relied up on or
26 introduced in any disciplinary action by either party hereto. Respondent further agrees that
27 should this Stipulated Settlement and Disciplinary Order be rejected for any reason by the Board,
28 Respondent will assert no claim that the Board, or any member thereof, was prejudiced by

1 its/his/her review, discussion and/or consideration of this Stipulated Settlement and Disciplinary
2 Order or of any matter or matters related hereto.

3 **ADDITIONAL PROVISIONS**

4 13. This Stipulated Settlement and Disciplinary Order is intended by the parties herein to
5 be an integrated writing representing the complete, final and exclusive embodiment of the
6 agreements of the parties in the above-entitled matter.

7 14. The parties agree that copies of this Stipulated Settlement and Disciplinary Order,
8 including copies of the signatures of the parties, may be used in lieu of original documents and
9 signatures and, further, that such copies shall have the same force and effect as originals.

10 15. Respondent agrees that his Physician's and Surgeon's Certificate No. A91166 is
11 subject to discipline and he agrees to be bound by the Board's imposition of discipline as set forth
12 in the Disciplinary Order below.

13 **DISCIPLINARY ORDER**

14 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A91166 issued
15 to Respondent Ahmed Abo-Elkhier Serag, M.D., is revoked. However, the revocation is stayed
16 and Respondent is placed on probation for four (4) years from the effective date of the Decision,
17 on the following terms and conditions:

18 1. **COMMUNITY SERVICE - FREE SERVICES.** Within 60 calendar days of the
19 effective date of this Decision, Respondent shall submit to the Board or its designee for prior
20 approval a community service plan in which Respondent shall, within the first 2 years of
21 probation, provide 120 hours of free services (e.g., medical or nonmedical) to a community or
22 non-profit organization.

23 Prior to engaging in any community service, Respondent shall provide a true copy of the
24 Decision to the chief of staff, director, office manager, program manager, officer, or the chief
25 executive officer at every community or non-profit organization where Respondent provides
26 community service and shall submit proof of compliance to the Board or its designee within 15
27 calendar days. This condition shall also apply to any change(s) in community service.

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1 Community service performed prior to the effective date of the Decision shall not be
2 accepted in fulfillment of this condition.

3 2. EDUCATION COURSE. Within 60 calendar days of the effective date of this
4 Decision, and on an annual basis thereafter, Respondent shall submit to the Board or its designee
5 for its prior approval educational program(s) or course(s) which shall not be less than 40 hours
6 per year, for each year of probation. The educational program(s) or course(s) shall be aimed at
7 correcting any areas of deficient practice or knowledge and shall be Category I certified. The
8 educational program(s) or course(s) shall be at Respondent's expense and shall be in addition to
9 the Continuing Medical Education (CME) requirements for renewal of licensure. Following the
10 completion of each course, the Board or its designee may administer an examination to test
11 Respondent's knowledge of the course. Respondent shall provide proof of attendance for 65
12 hours of CME of which 40 hours were in satisfaction of this condition.

13 3. PROFESSIONALISM PROGRAM (ETHICS COURSE). Within 60 calendar days of
14 the effective date of this Decision, Respondent shall enroll in a professionalism program, that
15 meets the requirements of Title 16, California Code of Regulations (CCR) section 1358.1.
16 Respondent shall participate in and successfully complete that program. Respondent shall
17 provide any information and documents that the program may deem pertinent. Respondent shall
18 successfully complete the classroom component of the program not later than six (6) months after
19 Respondent's initial enrollment, and the longitudinal component of the program not later than the
20 time specified by the program, but no later than one (1) year after attending the classroom
21 component. The professionalism program shall be at Respondent's expense and shall be in
22 addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

23 A professionalism program taken after the acts that gave rise to the charges in the
24 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board
25 or its designee, be accepted towards the fulfillment of this condition if the program would have
26 been approved by the Board or its designee had the program been taken after the effective date of
27 this Decision.

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1 Respondent shall submit a certification of successful completion to the Board or its
2 designee not later than 15 calendar days after successfully completing the program or not later
3 than 15 calendar days after the effective date of the Decision, whichever is later.

4 4. PSYCHOTHERAPY. Within 60 calendar days of the effective date of this Decision,
5 Respondent shall submit to the Board or its designee for prior approval the name and
6 qualifications of a California-licensed board certified psychiatrist or a licensed psychologist who
7 has a doctoral degree in psychology and at least five years of postgraduate experience in the
8 diagnosis and treatment of emotional and mental disorders. Upon approval, Respondent shall
9 undergo and continue psychotherapy treatment, including any modifications to the frequency of
10 psychotherapy, until the Board or its designee deems that no further psychotherapy is necessary.

11 The psychotherapist shall consider any information provided by the Board or its designee
12 and any other information the psychotherapist deems relevant and shall furnish a written
13 evaluation report to the Board or its designee. Respondent shall cooperate in providing the
14 psychotherapist with any information and documents that the psychotherapist may deem
15 pertinent.

16 Respondent shall have the treating psychotherapist submit quarterly status reports to the
17 Board or its designee. The Board or its designee may require Respondent to undergo psychiatric
18 evaluations by a Board-appointed board certified psychiatrist. If, prior to the completion of
19 probation, Respondent is found to be mentally unfit to resume the practice of medicine without
20 restrictions, the Board shall retain continuing jurisdiction over Respondent's license and the
21 period of probation shall be extended until the Board determines that Respondent is mentally fit to
22 resume the practice of medicine without restrictions.

23 Respondent shall pay the cost of all psychotherapy and psychiatric evaluations.

24 5. SOLO PRACTICE PROHIBITION. Respondent is prohibited from engaging in the
25 solo practice of medicine. Prohibited solo practice includes, but is not limited to, a practice
26 where: (1) Respondent merely shares office space with another physician but is not affiliated for
27 purposes of providing patient care; or (2) Respondent is the sole physician practitioner at that
28 location.

1 If Respondent fails to establish a practice with another physician or secure employment in
2 an appropriate practice setting within 60 calendar days of the effective date of this Decision,
3 Respondent shall receive a notification from the Board or its designee to cease the practice of
4 medicine within three (3) calendar days after being so notified. Respondent shall not resume
5 practice until an appropriate practice setting is established.

6 If, during the course of the probation, Respondent's practice setting changes and
7 Respondent is no longer practicing in a setting in compliance with this Decision, Respondent shall
8 notify the Board or its designee within five (5) calendar days of the practice setting change. If
9 Respondent fails to establish a practice with another physician or secure employment in an
10 appropriate practice setting within 60 calendar days of the practice setting change, Respondent
11 shall receive a notification from the Board or its designee to cease the practice of medicine within
12 three (3) calendar days after being so notified. Respondent shall not resume practice until an
13 appropriate practice setting is established.

14 6. NOTIFICATION. Within seven (7) days of the effective date of this Decision,
15 Respondent shall provide a true copy of this Decision and Accusation to the Chief of Staff or the
16 Chief Executive Officer at every hospital where privileges or membership are extended to
17 Respondent, at any other facility where Respondent engages in the practice of medicine, including
18 all physician and locum tenens registries or other similar agencies, and to the Chief Executive
19 Officer at every insurance carrier which extends malpractice insurance coverage to Respondent.
20 Respondent shall submit proof of compliance to the Board or its designee within 15 calendar
21 days.

22 This condition shall apply to any change(s) in hospitals, other facilities or insurance carrier.

23 7. SUPERVISION OF PHYSICIAN ASSISTANTS AND ADVANCED PRACTICE
24 NURSES. During probation, Respondent is prohibited from supervising physician assistants and
25 advanced practice nurses.

26 8. OBEY ALL LAWS. Respondent shall obey all federal, state and local laws, all rules
27 governing the practice of medicine in California and remain in full compliance with any court
28 ordered criminal probation, payments, and other orders.

1 9. QUARTERLY DECLARATIONS. Respondent shall submit quarterly declarations
2 under penalty of perjury on forms provided by the Board, stating whether there has been
3 compliance with all the conditions of probation.

4 Respondent shall submit quarterly declarations not later than 10 calendar days after the end
5 of the preceding quarter.

6 10. GENERAL PROBATION REQUIREMENTS.

7 Compliance with Probation Unit

8 Respondent shall comply with the Board's probation unit.

9 Address Changes

10 Respondent shall, at all times, keep the Board informed of Respondent's business and
11 residence addresses, email address (if available), and telephone number. Changes of such
12 addresses shall be immediately communicated in writing to the Board or its designee. Under no
13 circumstances shall a post office box serve as an address of record, except as allowed by Business
14 and Professions Code section 2021(b).

15 Place of Practice

16 Respondent shall not engage in the practice of medicine in Respondent's or patient's place
17 of residence, unless the patient resides in a skilled nursing facility or other similar licensed
18 facility.

19 License Renewal

20 Respondent shall maintain a current and renewed California physician's and surgeon's
21 license.

22 Travel or Residence Outside California

23 Respondent shall immediately inform the Board or its designee, in writing, of travel to any
24 areas outside the jurisdiction of California which lasts, or is contemplated to last, more than thirty
25 (30) calendar days.

26 In the event Respondent should leave the State of California to reside or to practice,
27 Respondent shall notify the Board or its designee in writing 30 calendar days prior to the dates of
28 departure and return.

1 11. INTERVIEW WITH THE BOARD OR ITS DESIGNEE. Respondent shall be
2 available in person upon request for interviews either at Respondent's place of business or at the
3 probation unit office, with or without prior notice throughout the term of probation.

4 12. NON-PRACTICE WHILE ON PROBATION. Respondent shall notify the Board or
5 its designee in writing within 15 calendar days of any periods of non-practice lasting more than
6 30 calendar days and within 15 calendar days of Respondent's return to practice. Non-practice is
7 defined as any period of time Respondent is not practicing medicine as defined in Business and
8 Professions Code sections 2051 and 2052 for at least 40 hours in a calendar month in direct
9 patient care, clinical activity or teaching, or other activity as approved by the Board. If
10 Respondent resides in California and is considered to be in non-practice, Respondent shall
11 comply with all terms and conditions of probation. All time spent in an intensive training
12 program which has been approved by the Board or its designee shall not be considered non-
13 practice and does not relieve Respondent from complying with all the terms and conditions of
14 probation. Practicing medicine in another state of the United States or federal jurisdiction while
15 on probation with the medical licensing authority of that state or jurisdiction shall not be
16 considered non-practice. A Board-ordered suspension of practice shall not be considered as a
17 period of non-practice.

18 In the event Respondent's period of non-practice while on probation exceeds 18 calendar
19 months, Respondent shall successfully complete the Federation of State Medical Boards' Special
20 Purpose Examination, or, at the Board's discretion, a clinical competence assessment program
21 that meets the criteria of Condition 18 of the current version of the Board's "Manual of Model
22 Disciplinary Orders and Disciplinary Guidelines" prior to resuming the practice of medicine.

23 Respondent's period of non-practice while on probation shall not exceed two (2) years.

24 Periods of non-practice will not apply to the reduction of the probationary term.

25 Periods of non-practice for a Respondent residing outside of California will relieve
26 Respondent of the responsibility to comply with the probationary terms and conditions with the
27 exception of this condition and the following terms and conditions of probation: Obey All Laws;
28 General Probation Requirements; and Quarterly Declarations.

1 13. COMPLETION OF PROBATION. Respondent shall comply with all financial
2 obligations (e.g., restitution, probation costs) not later than 120 calendar days prior to the
3 completion of probation. Upon successful completion of probation, Respondent's certificate shall
4 be fully restored.

5 14. VIOLATION OF PROBATION. Failure to fully comply with any term or condition
6 of probation is a violation of probation. If Respondent violates probation in any respect, the
7 Board, after giving Respondent notice and the opportunity to be heard, may revoke probation and
8 carry out the disciplinary order that was stayed. If an Accusation, or Petition to Revoke Probation,
9 or an Interim Suspension Order is filed against Respondent during probation, the Board shall have
10 continuing jurisdiction until the matter is final, and the period of probation shall be extended until
11 the matter is final.

12 15. LICENSE SURRENDER. Following the effective date of this Decision, if
13 Respondent ceases practicing due to retirement or health reasons or is otherwise unable to satisfy
14 the terms and conditions of probation, Respondent may request to surrender his or her license.
15 The Board reserves the right to evaluate Respondent's request and to exercise its discretion in
16 determining whether or not to grant the request, or to take any other action deemed appropriate
17 and reasonable under the circumstances. Upon formal acceptance of the surrender, Respondent
18 shall within 15 calendar days deliver Respondent's wallet and wall certificate to the Board or its
19 designee and Respondent shall no longer practice medicine. Respondent will no longer be subject
20 to the terms and conditions of probation. If Respondent re-applies for a medical license, the
21 application shall be treated as a petition for reinstatement of a revoked certificate.

22 16. PROBATION MONITORING COSTS. Respondent shall pay the costs associated
23 with probation monitoring each and every year of probation, as designated by the Board, which
24 may be adjusted on an annual basis. Such costs shall be payable to the Medical Board of
25 California and delivered to the Board or its designee no later than January 31 of each calendar
26 year.


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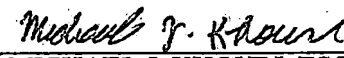
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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Michael J. Khouri, Esq. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: 3/8/18 
AHMED ABO-ELKHIER SERAG, M.D.
Respondent

I have read and fully discussed with Respondent Ahmed Abo-Elkhier Serag, M.D. the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: March 9, 2018 
MICHAEL J. KHOURI, ESQ.
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Medical Board of California.

Dated:

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General

CHRISTINE A. RHEE
Deputy Attorney General
Attorneys for Complainant

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1 ACCEPTANCE

2 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
3 discussed it with my attorney, Michael J. Khouri, Esq. I understand the stipulation and the effect
4 it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement
5 and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
6 Decision and Order of the Medical Board of California.

7
8 DATED: _____

9 AHMED ABO-ELKHIER SERAG, M.D.
Respondent

10 I have read and fully discussed with Respondent Ahmed Abo-Elkhier Serag, M.D. the terms
11 and conditions and other matters contained in the above Stipulated Settlement and Disciplinary
12 Order. I approve its form and content.

13 DATED: _____

14 MICHAEL J. KHOURI, ESQ.
Attorney for Respondent


15 ENDORSEMENT

16 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
17 submitted for consideration by the Medical Board of California.

18 Dated: March 12, 2018

Respectfully submitted,

19 XAVIER BECERRA
20 Attorney General of California
21 ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General

22 

23 CHRISTINE A. RHEE
24 Deputy Attorney General
Attorneys for Complainant

25
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Exhibit A

Accusation No. 800-2015-012416

1 XAVIER BECERRA
Attorney General of California
2 ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
3 CHRISTINE A. RHEE
Deputy Attorney General
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7 Facsimile: (619) 645-2061

8 *Attorneys for Complainant*

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO *Oct. 17 20 17*
BY *Jenna Pasnom* ANALYST

10 BEFORE THE
11 MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
12 STATE OF CALIFORNIA

13 In the Matter of the Accusation Against:

Case No. 800-2015-012416

14 **Ahmed Abo-Elkhier Serag, M.D.**
15 890 S. Bluebird Circle
Anaheim, CA 92807

A C C U S A T I O N

16 **Physician's and Surgeon's Certificate**
17 **No. A91166,**

18 Respondent.

19
20 Complainant alleges:

21 **PARTIES**

22 1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official
23 capacity as the Executive Director of the Medical Board of California (Board).

24 2. On or about May 4, 2005, the Medical Board issued Physician's and Surgeon's
25 Certificate No. A91166 to Ahmed Abo-Elkhier Serag, M.D. (Respondent). Physician's and
26 Surgeon's Certificate No. A91166 was in full force and effect at all times relevant to the charges
27 brought herein and will expire on May 31, 2019, unless renewed.

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1 JURISDICTION

2 3. This Accusation is brought before the Board, under the authority of the following
3 laws. All section references are to the Business and Professions Code (Code) unless otherwise
4 indicated.

5 4. Section 2227 of the Code states:

6 “(a) A licensee whose matter has been heard by an administrative law judge of
7 the Medical Quality Hearing Panel as designated in Section 11371 of the Government
8 Code, or whose default has been entered, and who is found guilty, or who has entered
9 into a stipulation for disciplinary action with the board, may, in accordance with the
10 provisions of this chapter:

11 “(1) Have his or her license revoked upon order of the board.

12 “(2) Have his or her right to practice suspended for a period not to exceed one
13 year upon order of the board.

14 “(3) Be placed on probation and be required to pay the costs of probation
15 monitoring upon order of the board.

16 “(4) Be publicly reprimanded by the board. The public reprimand may include a
17 requirement that the licensee complete relevant educational courses approved by the
18 board.

19 “(5) Have any other action taken in relation to discipline as part of an order of
20 probation, as the board or an administrative law judge may deem proper.

21 “(b) Any matter heard pursuant to subdivision (a), except for warning letters,
22 medical review or advisory conferences, professional competency examinations,
23 continuing education activities, and cost reimbursement associated therewith that are
24 agreed to with the board and successfully completed by the licensee, or other matters
25 made confidential or privileged by existing law, is deemed public, and shall be made
26 available to the public by the board pursuant to Section 803.1.”

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1 5. Section 2234 of the Code states, in pertinent part:

2 “The board shall take action against any licensee who is charged with
3 unprofessional conduct. In addition to other provisions of this article, unprofessional
4 conduct includes, but is not limited to, the following:

5 “(a) Violating or attempting to violate, directly or indirectly, assisting in or
6 abetting the violation of, or conspiring to violate any provision of this chapter.

7 “...”

8 “(e) The commission of any act involving dishonesty or corruption that is
9 substantially related to the qualifications, functions, or duties of a physician and
10 surgeon.

11 “...”

12 6. Unprofessional conduct under section 2234 of the Code is conduct which breaches the
13 rules or ethical code of the medical profession, or conduct which is unbecoming a member in
14 good standing of the medical profession, and which demonstrates an unfitness to practice
15 medicine. (*Shea v. Board of Medical Examiners* (1978) 81 Cal.App.3d 564, 575.)

16 7. Section 2236 of the Code states, in pertinent part:

17 “(a) The conviction of any offense substantially related to the qualifications,
18 functions, or duties of a physician and surgeon constitutes unprofessional conduct
19 within the meaning of this chapter. The record of conviction shall be conclusive
20 evidence only of the fact that the conviction occurred.

21 “...”

22 “(c) The clerk of the court in which a licensee is convicted of a crime shall,
23 within 48 hours after the conviction, transmit a certified copy of the record of
24 conviction to the board. The division may inquire into the circumstances surrounding
25 the commission of a crime in order to fix the degree of discipline or to determine if the
26 conviction is of an offense substantially related to the qualifications, functions, or
27 duties of a physician and surgeon.

28 ///

1 11. After the life insurance representative left, Respondent brought the dog inside the
2 house from the backyard. The dog was muddy from being left outside, and Respondent tried to
3 clean the dog off.

4 12. Respondent kicked and hit the dog in the ribs before putting the dog outside again,
5 where the dog got dirtier.

6 13. Respondent then brought the dog inside to the bathroom to clean the dog in the
7 shower. Respondent punched the dog several times while in the shower. While in the shower,
8 the dog was coughing up blood.

9 14. After Respondent bathed and groomed the dog, Respondent grabbed the dog by the
10 scruff to drag the dog outside again.

11 15. In Respondent's backyard, the dog bit Respondent in the hand, and Respondent
12 became enraged.

13 16. Respondent then lifted the dog over his head and threw the dog with both hands onto
14 the concrete patio. The dog landed on its back and squealed. Respondent then proceeded to get
15 on top of the dog, repeatedly hitting it.

16 17. Respondent then put the dog in its crate, and left it outside while Respondent went
17 inside, took a shower, and fell asleep. The dog died in its crate when Respondent had left it
18 outside.

19 18. On or about March 2, 2015, police officers arrived at Respondent's home later that
20 day and questioned Respondent several times about what had happened to the dog. Respondent
21 gave differing versions of the events to the officers that were on the scene, but later admitted that
22 he had hit and kicked the dog prior to getting bitten in the hand, and that the dog was coughing up
23 blood in the shower.

24 19. On or about March 2, 2015, Respondent was arrested for one count of a violation of
25 Penal Code section 597, subdivision (a), Cruelty to Animals.

26 20. On or about March 3, 2015, a necropsy was performed on the dog's body. The
27 findings included the following: the dog had free blood in the abdomen, pooling of blood around

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1 the liver, multiple diffuse liver fractures, hemorrhagic lungs, and bruising over the frontal and
2 parietal bones at the top of the skull.

3 21. On or about December 4, 2015, Respondent wrote a letter to the Board in response to
4 their inquiry regarding his arrest. Respondent wrote that the dog turned and attacked Respondent
5 after he had bathed and groomed the dog. Respondent failed to mention that he had punched and
6 kicked the dog prior to being bitten in the hand.

7 22. On or about January 7, 2016, the Orange County District Attorney filed a Complaint
8 in *The People of the State of California v. Ahmed Serag*, Case No. 16NM00554MA, charging
9 Respondent with one count of a misdemeanor violation of Penal Code section 597, subdivision
10 (a), Animal Cruelty.

11 23. On or about April 15, 2016, Respondent pleaded guilty to one count of a
12 misdemeanor violation of Penal Code 597, subdivision (a), Cruelty to Animals. Respondent's
13 sentence was suspended, and Respondent was placed on two years' informal probation that
14 included, but was not limited to, the following conditions: (1) 30 days in Orange County Jail; (2)
15 240 hours of community service; (3) restitution in the amount of \$535.45; (4) \$10,000 to be paid
16 to the OCAC cruelty prevention fund; (5) an order prohibiting Respondent from owning,
17 possessing, or living with animals; and (6) 40 sessions of counseling.

18 24. On or about January 11, 2017, Respondent appeared at an interview with Board
19 investigators and answered questions about the incident that occurred on or about March 2, 2015.
20 Respondent denied being violent with the dog on that day prior to being bitten in the hand.
21 Respondent also denied the statements he made to police officers that he had kicked and hit the
22 dog repeatedly, and that the dog was coughing up blood in the shower.

23 **SECOND CAUSE FOR DISCIPLINE**

24 **(Commission of Any Act Involving Dishonesty or Corruption that is Substantially Related
25 to the Qualifications, Functions, or Duties of a Physician and Surgeon)**

26 25. Respondent has further subjected his Physician's and Surgeon's Certificate No.
27 A91166 to disciplinary action under sections 2227 and 2234, subdivision (e), of the Code, in that
28 he committed dishonest or corrupt acts substantially related to the qualifications, functions and

1 duties of a physician and surgeon, as more particularly alleged in paragraphs 10 through 24,
2 above, which are hereby incorporated by reference and re-alleged as if fully set forth herein.

3 **THIRD CAUSE FOR DISCIPLINE**

4 **(General Unprofessional Conduct)**

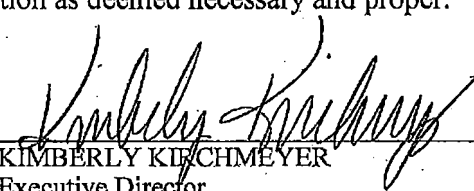
5 26. Respondent has further subjected his Physician's and Surgeon's Certificate No.
6 A91166 to disciplinary action under sections 2227 and 2234, of the Code, in that he has engaged
7 in conduct which breaches the rules or ethical code of the medical profession, or conduct which is
8 unbecoming to a member in good standing of the medical profession, and which demonstrates an
9 unfitness to practice medicine, as more particularly alleged in paragraphs 10 through 25, above,
10 which are hereby incorporated by reference and re-alleged as if fully set forth herein.

11 **PRAYER**

12 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
13 and that following the hearing, the Medical Board of California issue a decision:

- 14 1. Revoking or suspending Physician's and Surgeon's Certificate No. A91166, issued to
15 Respondent Ahmed Abo-Elkhier Serag, M.D.;
- 16 2. Revoking, suspending or denying approval of Respondent Ahmed Abo-Elkhier Serag,
17 M.D.'s authority to supervise physician assistants, pursuant to section 3527 of the Code, and
18 advanced practice nurses;
- 19 3. Ordering Respondent Ahmed Abo-Elkhier Serag, M.D., if placed on probation, to pay
20 the Board the costs of probation monitoring; and
- 21 4. Taking such other and further action as deemed necessary and proper.

22
23 DATED: October 17, 2017


24 KIMBERLY KIRCHMEYER
25 Executive Director
26 Medical Board of California
27 State of California
28 *Complainant*

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