



LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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BEFORE THE LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

No. 2022-1-489

IN THE MATTER OF:

CONSENT ORDER

OMAR MOHAMMED SALEH, M.D.
(Credential No. 322450),
Respondent

Omar Mohammed Saleh, M.D. ("Dr. Saleh") is a physician licensed to practice medicine in the State of Louisiana by the Louisiana State Board of Medical Examiners (the "Board"), as evidenced by Credential No. 322450. At all relevant times, Dr. Saleh practiced internal medicine in and around Naples, Florida. The above-entitled proceeding was docketed for investigation upon receipt of apparently reliable information that Dr. Saleh had been charged with one count of conspiracy to commit health care fraud.

Investigation of the captioned matter was assigned to Lawrence H. Cresswell, III, D.O., J.D., Director of Investigations (the "Investigating Officer") for the Board. The investigation confirmed that, on or about July 15, 2022, the United States government charged Dr. Saleh with one count of conspiracy to commit health care fraud in violation of 18 U.S.C. § 1349 (a felony).¹ The investigation further revealed that, on or around August 23, 2022, Dr. Saleh pled guilty regarding the above-referenced criminal charge.² In his plea agreement, Dr. Saleh admitted that he knowingly and willingly participated in a conspiracy to commit health care fraud and that his participation in the conspiracy to pay and receive improper kickbacks resulted in an improper benefit of more than \$1,500,000.00 and less than \$3,500,000.00.³ Specifically, Dr. Saleh admitted to signing genetic testing orders that were not medically necessary despite knowing that the genetic testing orders would be submitted to Medicare for reimbursement, for which Medicare ultimately paid approximately \$1,629,330.48.⁴

Predicated upon the foregoing information, the Investigating Officer assigned by the Board with respect to this matter has determined that sufficient cause exists to file formal charges against

¹ See Information, Doc. No. 1, *United States v. Omar Saleh*, No. 1:22-cr-20317 (S.D. Fla. July 15, 2022).

² See Plea Agreement, Doc. No. 20, *United States v. Omar Saleh*, No. 1:22-cr-20317 (S.D. Fla. August 23, 2022).

³ *Id.* at 7.

⁴ See Factual Proffer, Doc. No. 21, *United States v. Omar Saleh*, No. 1:22-cr-20317 (S.D. Fla. August 23, 2022).

Dr. Saleh for violations of the Louisiana Medical Practice Act (the "Act"), pursuant to La. R.S. 37:1285(A)(1) and (2).⁵

As evidenced by his subscription hereto, Dr. Saleh acknowledges that the information developed by the Board's investigation would constitute sufficient cause for the institution of administrative proceedings against his medical license and that proof of such information upon administrative evidentiary hearing would establish grounds under the Act for the suspension or revocation of his license to practice medicine in the State of Louisiana, or for such other action as the Board might deem appropriate.

Recognizing his right to have notice and administrative adjudication of any charges that may be filed in this matter, at which time Dr. Saleh would be entitled to be represented by legal counsel, to call witnesses and to present evidence on his own behalf in defense or in mitigation of the charges made and to a decision thereon by the Board based upon written findings of fact and conclusions of law, pursuant to La. R.S. 49:951 *et seq.*, Dr. Saleh, nonetheless, hereby waives his right to notice of charges, formal adjudication and written decision and pursuant to La. R.S. 49:955(D), consents to entry of the Order set forth hereinafter. Moreover, by his subscription hereto, Dr. Saleh also waives any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act, La. R.S. 49:951 *et seq.*, or which otherwise may be afforded to him by law to contest his agreement to or the force and effect of the Board's investigation or this document in any court or other forum or body relating to the matters referred to herein. By his subscription hereto, Dr. Saleh also hereby authorizes the Investigating Officer designated by the Board with respect hereto to present this Consent Order to the Board for its consideration and to fully disclose to and discuss with the Board the nature and results of the investigation and he waives any objection to such disclosures under La. R.S. 49:960. Further, Dr. Saleh expressly acknowledges that the disclosure of such information to the Board by the Investigating Officer shall be without prejudice to the Investigating Officer's authority to proceed with the filing and adjudication of an Administrative Complaint against him, or to the Board's capacity to adjudicate any charges that may be filed in this matter should the Board decline to approve this Order.

Based upon the information provided, and upon the recommendation of the Investigating Officer assigned to this matter, the Board has concluded that its responsibility to ensure the health, safety and welfare of the citizens of this state, pursuant to La. R.S. 37:1261, will be effectively served by entry of the Order set forth hereinafter by consent. Accordingly, in consideration of the foregoing, and pursuant to the authority vested in the Board by La. R.S. 37:1285 and La. R.S. 49:955(D);

IT IS ORDERED that the license of Omar Mohammed Saleh, M.D., to practice medicine in the State of Louisiana, as evidenced by Credential No. 322450, is hereby placed on **INDEFINITE SUSPENSION** to coincide with the length of his incarceration/supervised probation imposed by the Court as a result of the above-mentioned criminal plea.

⁵ Pursuant to the Act, La. R.S. 37:1285(A), the Board may take action against the license of a physician as the result of: "(1) Conviction of a crime or entry of a plea of guilty or *nolo contendere* to a criminal charge constituting a felony under the laws of Louisiana or of the United States"; or "(2) Conviction of a crime or entry of a plea of guilty or *nolo contendere* to any criminal charge arising out of or in connection with the practice of medicine."

IT IS FURTHER ORDERED that the reissuance or reinstatement of Dr. Saleh's license to practice medicine in the State of Louisiana shall be subject to his acceptance of and strict compliance with the following terms, conditions and restrictions:

1. **Suspension; Reissuance/Reinstatement.** Dr. Saleh shall not practice medicine in the State of Louisiana until and unless the Board issues and serves on him a written order reissuing or reinstating his medical license. As express conditions to Dr. Saleh's petition or request of the Board for such an order, Dr. Saleh shall have: (1) successfully completed any and all conditions of the incarceration/supervised probation/supervised release imposed by the Court as a result of the above-mentioned criminal plea; (2) scheduled and met with the Investigating Officer of the Board to discuss his then-current status and plans for resumption of practice; (3) satisfied the eligibility and other requirements of the Board's rules governing license issuance or reinstatement as of the date of his petition or request, La. Admin. Code tit. 46, pt. XLV, ch. 3; and (4) demonstrated to the Board's satisfaction his competency to resume practice with skill and safety to patients. Thereafter, any petition or request for reissuance or reinstatement of medical licensure made by Dr. Saleh shall be granted or denied, at the sole discretion of the Board, and on such probationary terms, conditions and/or restrictions as the Board may then deem appropriate.

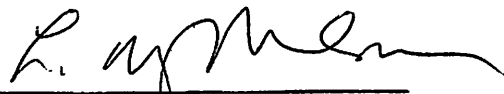
2. **Effective Date.** This Consent Order shall be effective on the date it is approved and accepted by the Board as shown by the signature of its representative below.

IT IS FURTHER ORDERED that any violation or failure of strict compliance with any of the terms, conditions or restrictions set forth by this Order by Dr. Saleh shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for the revocation and cancellation of Dr. Saleh's license to practice medicine in the state of Louisiana, or for such other action as the Board may deem appropriate, as if such violations were enumerated among the causes provided in La. R.S. 37:1285.

IT IS FURTHER ORDERED that this Consent Order shall be, and shall be deemed to be, a public record.

New Orleans, Louisiana, this 21st day of November, 2022.

LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS

By: 
LESTER W. JOHNSON, M.D.
President

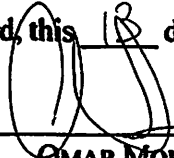
Acknowledgment and Consent on Following Page

**ACKNOWLEDGMENT
AND CONSENT**

STATE OF Florida

PARISH/COUNTY OF Lee

I, OMAR MOHAMMED SALEH, M.D., hereby acknowledge that I have had the opportunity to seek the advice and guidance of legal counsel with respect to this Consent Order and that all of its terms and conditions have been fully explained to me and/or that I fully understand them. I further acknowledge that I approve, accept, and consent to entry of the above and foregoing Order without duress and of my own free will and accord, this 13 day of October, 2022.



OMAR MOHAMMED SALEH, M.D.


WITNESSES:


Signature

Jordan Esparza
Typed Name

10012 Gulf Center Dr Ste 5
Street Address

Fort Myers FL 33913
City/State/Zip Code


Signature

VRUIASHABEN PATEL
Typed Name

10012 Gulf center dr. ste 5
Street Address

Fort Myers FL 33913
City/State/Zip Code

Sworn to and subscribed before me this 13 day of October, 2022, in the presence of the two stated witnesses.


Notary Public (Signature)

Name: Jordan Esparza
Notary/Bar No.: HH050294
Commission expires: 10/04/2024



Jordan Robert Esparza
Comm. #HH050294
Expires: Oct. 4, 2024
Bonded Thru Aaron Notar