



**New York State Board for Professional Medical Conduct**

433 River Street, Suite 303 • Troy, New York 12180-2299 • (518) 402-0863

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NYS Department of Health

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NYS Department of Health

Dennis J. Graziano, Director  
Office of Professional Medical Conduct

Michael A. Gonzalez, R.P.A.  
Vice Chair

Ansel R. Marks, M.D., J.D.  
Executive Secretary

**PUBLIC**

October 1, 2004

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Kamal S. Louka, M.D.  
4367 Baxter Road  
Suite 105  
Virginia Beach, VA 23462

Re: License No. 159206

Dear Dr. Louka:

Enclosed please find Order #BPMC 04-224 of the New York State Board for Professional Medical Conduct. This order and any penalty provided therein goes into effect October 8, 2004.

If the penalty imposed by the Order is a surrender, revocation or suspension of this license, you are required to deliver to the Board the license and registration within five (5) days of receipt of the Order to the Board for Professional Medical Conduct, New York State Department of Health, Hedley Park Place, Suite 303, 433 River Street, Troy, New York 12180.

Sincerely,

Ansel R. Marks, M.D., J.D.  
Executive Secretary  
Board for Professional Medical Conduct

Enclosure

cc: Patrick C. Devine, Jr, Esq.  
Williams, Mullen, Hofheimer, Nusbaum  
Dominion Tower, Suite 1700  
999 Waterside Drive  
Norfolk, VA 23514-3460

STATE OF NEW YORK : DEPARTMENT OF HEALTH  
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

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**IN THE MATTER**

**OF**

**KAMAL S. LOUKA, M.D.  
CO-04-03-1437-A**

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**CONSENT**

**AGREEMENT**

**AND ORDER**

BPMC No. 04-224

**KAMAL S. LOUKA, M.D.**, (Respondent) being duly sworn deposes and says:

That on or about July 16, 1984, I was licensed to practice as a physician in the State of New York, having been issued License No. 159206 by the New York State Education Department.

My current address is 4367 Baxter Road, Suite 105, Virginia Beach, VA 23462, and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

I understand that the New York State Board For Professional Medical Conduct has charged me with two (2) specifications of professional medical misconduct.

A copy of the Statement of Charges based solely on a November 21, 2003, Virginia Board of Medicine Order is annexed hereto, made a part hereof, and marked as Exhibit "A."

The New York State Department of Health has offered to settle this matter by my agreeing to a Censure and Reprimand. However, I have never practiced medicine in the State of New York and I do not intend to come to practice medicine in the State of New York.

I do not admit guilt, but I agree, therefore, to not contest Factual Allegations A and B(2) and the Second Specification, in full satisfaction of the charges against me.

I agree, therefore, in lieu of the settlement offered by the State of New York:

to never activate my registration to practice medicine in New York state  
or seek to reapply for a license to practice medicine in New York state.

I, hereby, stipulate that any failure by me to comply with such conditions shall constitute misconduct as defined by New York State Education Law §6530(29).

I, hereby, make this Application to the State Board for Professional Medical Conduct (the Board) and request that it be granted.

I understand that, in the event that this Application is not granted by the Board, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me, such Application shall not be used against me in any way and shall be kept in strict confidence during the pendency of the professional misconduct disciplinary proceeding; and such denial by the Board shall be made without prejudice to the continuance of any disciplinary proceeding and the final determination by the Board pursuant to the provisions of the Public Health Law.

I agree that, in the event the Board grants my Application, as set forth herein, an order of the Chairperson of the Board shall be issued in accordance with same. I agree that such order shall be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of the Consent Order to me at the address set forth in this agreement, or to my attorney, or upon transmission via facsimile to me or my attorney, whichever is earliest.

I am making this Application of my own free will and accord and not under duress, compulsion or restraint of any kind or manner. In consideration of the value to me of the acceptance by the Board of this Application, allowing me to resolve this matter without the various risks and burdens of a hearing on the merits. I knowingly waive any right I may have to contest the Consent Order for which I hereby apply, whether administratively or judicially, and ask that the Application be granted.

AFFIRMED:

DATED: 9/20/07



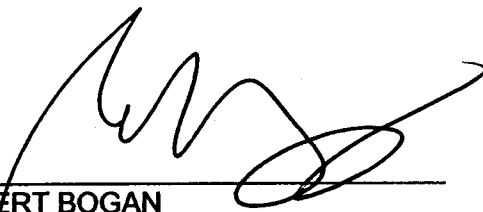
KAMAL S. LOUKA, M.D.  
Respondent

The undersigned agree to the attached application of the Respondent and to the proposed penalty based on the terms and conditions thereof.

DATE: 9/20/07

  
PATRICK C. DEVINE, JR.  
Attorney for Respondent

DATE: 21 September 2007

  
ROBERT BOGAN  
Associate Counsel  
Bureau of Professional Medical Conduct

DATE: 28 September

  
DENNIS J. GRAZIANO  
Director  
Office of Professional Medical Conduct

STATE OF NEW YORK : DEPARTMENT OF HEALTH  
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

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IN THE MATTER  
OF  
KAMAL S. LOUKA, M.D.  
CO-04-03-1437-A

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STATEMENT  
OF  
CHARGES

KAMAL S. LOUKA, M.D., the Respondent, was authorized to practice medicine in New York state on July 16, 1984, by the issuance of license number 159206 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A. On or about November 21, 2003, the Virginia Board of Medicine (hereinafter "Virginia Board"), by an Order (hereinafter "Virginia Order"), CENSURED Respondent and imposed conditions upon his license to practice medicine, based on engaging in an inappropriate sexual relationship with a patient from on or about 1998 to on or about 2001.

B. The conduct resulting in the Virginia Board disciplinary action against Respondent would constitute misconduct under the laws of New York State, pursuant to the following sections of New York State law:

1. New York Education Law §6530(3) (negligence on more than one occasion);
2. New York Education Law §6530(17) (exercising undue influence on the patient);
3. New York Education Law §6530(20) (moral unfitness); and/or
4. New York Education Law §6530(31) (willfully harassing, abusing, or intimidating a patient either physically or verbally).

**SPECIFICATIONS**

**FIRST SPECIFICATION**

Respondent violated New York Education Law §6530(9)(a)(b), by having been found guilty of improper professional practice or professional misconduct by a duly authorized professional disciplinary agency of another state, where the conduct upon which the finding was based, would, if committed in New York state, constitute professional misconduct under the laws of New York state, in that Petitioner charges:

1. The facts in Paragraphs A and/or B.

### **SECOND SPECIFICATION**

Respondent violated New York Education Law §6530(9)(d) by having disciplinary action taken by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the disciplinary action, would, if committed in New York state, constitute professional misconduct under the laws of New York state, in that Petitioner charges:

2. The facts in Paragraphs A and/or B.

DATED: *June 14*, 2004  
Albany, New York

  
PETER D. VAN BUREN  
Deputy Counsel  
Bureau of Professional Medical Conduct

NEW YORK STATE DEPARTMENT OF HEALTH  
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

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IN THE MATTER  
OF  
KAMAL S. LOUKA, M.D.

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CONSENT  
ORDER

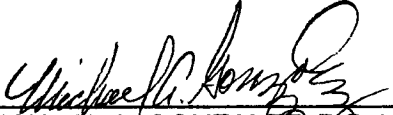
Upon the proposed agreement of **KAMAL S. LOUKA, M.D.**, (Respondent) for Consent Order, which application is made a part hereof, it is agreed and

ORDERED, that the application and the provisions thereof are hereby adopted and so ORDERED, and it is further

ORDERED, that this order shall be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of the Consent Order to Respondent at the address set forth in this agreement or to Respondent's attorney by certified mail, or upon transmission via facsimile to Respondent or Respondent's attorney, whichever is earliest.

SO ORDERED.

DATED: 10/1/04

  
MICHAEL A. GONZALEZ, R.P.A.  
Vice Chair  
State Board for Professional  
Medical Conduct