

16-472
SEP 23 1999

STATE OF ILLINOIS

DEPARTMENT OF PROFESSIONAL REGULATION

DEPARTMENT OF PROFESSIONAL REGULATION)	
of the State of Illinois,)	Complainant
v.)	
KENNETH P. PHILLIPS)	No. 199704512-1
License No. 36-062772,)	Respondent

CONSENT ORDER

The Department of Professional Regulation by Diane M. Para, one of its attorneys, and Kenneth P. Phillips, Respondent, hereby agree to the following:

STIPULATIONS

Kenneth P. Phillips is licensed as a Physician and Surgeon in the State of Illinois, holding license No. 36-062772. At all times material to the matter set forth in this Consent Order, the Department of Professional Regulation of the State of Illinois had jurisdiction over the subject matter and parties herein.

Information has come to the attention of the Department that Respondent failed to assure that an unlicensed PsyD employee did not misrepresent herself as a psychologist in court proceedings involving a child custody dispute.

The allegation(s) as set forth herein, if proven to be true might constitute grounds for suspending or revoking Respondent's license as a Physician and Surgeon, on the authority of 225 Illinois Compiled Statutes (1996), Section 60/22(A), paragraph(s) 5.

As a result of the foregoing allegation(s), the Department held a Disciplinary Conference at the offices of the Department, 100 West Randolph Street, Suite 9-300, Chicago, Illinois 60601 on July 23, 1998. Respondent appeared in person on that date, represented by David Meyer. Lacy H. Cook, D.C. appeared as a member of the Medical Disciplinary Board of the State of Illinois and subsequently consulted with P.S.B. Sarma, M.D. Diane M. Para appeared as an attorney for the Department. The parties engaged in subsequent negotiations resulting in this Consent Order.

Respondent accepts the following terms and conditions in settlement of this matter.

Respondent has been advised of the right to have the pending allegation(s) reduced to written charges, the right to a hearing, the right to contest any charges brought, and the right to administrative review of any Order resulting from a hearing. Respondent knowingly waives each of these rights, as well as any right to administrative review of this Consent Order.

Respondent and the Department have agreed, in order to resolve this matter, that Kenneth P. Phillips be permitted to enter into a Consent Order with the Department, providing for the imposition of disciplinary measures which are fair and equitable in the circumstances and which are consistent with the best interests of the people of the State of Illinois.

CONDITIONS

WHEREFORE, the Department, through Diane M. Para, its attorney, and Kenneth P. Phillips, agree:

- A. Respondent's Physician and Surgeon license is hereby Reprimanded by operation of this Consent Order.
- B. Respondent shall tender a fine in the amount of Three Thousand Five Hundred (\$3,500.00) Dollars to be remitted along with this executed Consent Order.
- C. Within thirty (30) days of approval of this Consent Order by the Director of the Department, Respondent shall provide the Department with the following:
 1. Respondent shall submit to the Department written protocols specifically detailing criteria for supervision of all employed therapists who are not yet licensed, which supervision will include evaluating whether the therapist has the appropriate background and training to provide services to each of the therapists new patients;
 2. Respondent shall submit to the Department a written credentialing procedure for prospective employees. The procedure will delineate the steps which will be taken to evaluate the prospective employees' education and training and their competence to provide specific types of therapy, evaluation, testing and other services; and
 3. Respondent shall submit to the Department a memorandum, a copy of which will be given to and acknowledged by all current and new employees, which reminds therapists, both licensed and unlicensed, of their duty to provide services only within the scope of their training, education and experience and reminds them of their duty to advise all participants in a legal proceeding of the exact nature of their licensure status.

- D. All reports and other documentation required pursuant to paragraph C. above shall be submitted in a timely manner to the Medical Coordinator of the Department of Professional Regulation, 100 West Randolph, Suite 9-300, Chicago, Illinois 60601.
- E. All reports and other documentation required pursuant to paragraph C. above shall be subject to written approval by the Medical Coordinator pursuant to consultation with Medical Disciplinary Board member engaged in the practice of psychiatry. Medical Coordinator shall provide written approval or request for modification of the documentation referenced in paragraph C. above within thirty (30) days after receipt.
- F. Respondent shall implement any reasonable modifications to the documentation referenced in paragraph C. above which may be recommended by the Medical Coordinator subsequent to his review thereof.
- G. Any violation by Respondent of the terms and conditions of this Consent Order shall be grounds for the Department to immediately file a Complaint to impose disciplinary measures against the Respondent's license to practice as a Physician and Surgeon in the State of Illinois.

H. This Consent Order shall become effective immediately after it is approved by the Director of the Department.

DEPARTMENT OF PROFESSIONAL REGULATION
of the State of Illinois

9-29-99
DATE

Diane M. Para
Diane M. Para
Attorney for the Department

9/23/99
DATE

Kenn Phillips
Kenneth P. Phillips
Respondent

9/23/99
DATE

David Meyer
David Meyer
Attorney for the Respondent

November 3, 1999
DATE

Ray H. [Signature]
Member, Medical Disciplinary Board

The foregoing Consent Order is approved in full.

DATED THIS 29th day of November, 1999.

DEPARTMENT OF PROFESSIONAL REGULATION
of the State of Illinois

Leonard A. Sherman
LEONARD A. SHERMAN
DIRECTOR

LAS:DMP:reu

REF: License No. 36-062772
Case No. 199704512-1