

STATE OF ILLINOIS

DEPARTMENT OF PROFESSIONAL REGULATION

IN RE THE PETITION FOR RESTORATION OF )  
RICHARD FAMULARO, )  
Petitioner ) 1997-05289-1&2  
No. 036-058287 )  
C.S. License Nos. 336-022911 )  
336-057862 )

**CONSENT ORDER**

The Department of Professional Regulation by Hugh E. Gorman, one of its attorneys, and Petitioner, hereby agree to the following:

**STIPULATIONS**

Richard Famularo is licensed as a Physician and Surgeon in the State of Illinois, holding License No. 36-058287 and Controlled Substance License Nos. 336-022911 and 336-057862. Said licenses were placed on a Probationary period for a minimum term of five (5) years. The Board made that recommendation when information came to the Department that Petitioner's Massachusetts license was Suspended for improper prescribing of medication. Dr. Famularo has filed a Petition for Restoration of his Physician and Surgeon License as well as his Controlled Substance Licenses.

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.

An Informal conference was held on December 23, 2003. Dr. Donald Langsley of the Medical Disciplinary Board was present. Hugh E. Gorman was present for the Department and Dr. Famularo was present on his own behalf.

Petitioner has presented proof, both documentary and testamentary, that he has complied with all Departmental Probationary Requirements.

It is further stipulated that the Petitioner has demonstrated that Restoration of Richard Famularo's License to practice as a Physician and Surgeon, as well as his Controlled Substance Licenses, is in the public interest.

**RECOMMENDATION**

The Department, through Hugh E. Gorman, its attorney, and the Medical Disciplinary Board of the Department of Professional Regulation of the State of Illinois, recommends to Fernando E. Grillo, Director of the Department of Professional Regulation, that the License of Richard Famularo to practice as a Physician and Surgeon, License No. 36-058287 as well as his Controlled Substance License Nos. 336-022911 and 336-057862 be returned to unencumbered status.

DEPARTMENT OF PROFESSIONAL REGULATION  
of the State of Illinois

1/5/04  
DATE

1/7/04  
DATE

2-4-04  
DATE

[Signature]  
Hugh E. Gorman, Attorney for the Department

Richard Famularo  
Richard Famularo, Respondent

Georgia D. Lubbin, P.  
Member, Medical Disciplinary Board

The foregoing Consent Order is approved in full.

DATED THIS 27<sup>th</sup> day of February, 20 04.

DEPARTMENT OF PROFESSIONAL REGULATION  
of the State of Illinois

[Signature]  
Fernando E. Grillo  
DIRECTOR

Ref: License Nos. 036-058287, 336-022911 and 336-057862  
Case No. 1997-05289-1+2

STATE OF ILLINOIS

DEPARTMENT OF PROFESSIONAL REGULATION

IN RE: The Application of	)	
	)	No. 1997-05289
RICHARD FAMULARO, M.D.	)	
	)	
Controlled Substance	)	
License No. 336-022911,	)	Applicant

CONSENT ORDER

The Department of Professional Regulation by James G. Pittacora, one of its attorneys, and Richard Famularo, M.D., Applicant, hereby agree to the following:

STIPULATIONS

Richard Famularo, M.D. has applied for a Controlled Substance license in the State of Illinois. 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 the Applicant's Physician and Surgeon's license is Indefinitely Suspended in the State of Massachusetts for improper prescribing of medication. The Applicant's Illinois Physician and Surgeon's license has been issued and is currently on Probation subject to the same terms and conditions of his proposed Controlled Substances license.

The Applicant appeared for an interview with the Medical Licensing Board on July 9, 1997 at their regularly scheduled meeting.

Applicant 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.

Applicant knowingly waives each of these rights, as well as any right to administrative review of this Consent Order.

Applicant and the Department have agreed, in order to resolve this matter, that Richard Famularo, M.D. 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 James G. Pittacora, its attorney, and Richard Famularo, M.D., agree:

- A. Applicant shall be issued a Controlled Substance license upon approval of this Order by the Medical Licensing Board, and by the Director and his license shall be Probational for as long as his Physician and Surgeon license is on Probation.
- B. That during the period of Probation, Applicant shall be subject to periodic unannounced blood, urine, alcohol and/or drug screens at least one (1) time per month. Reports of such screens shall be submitted on a quarterly basis to the Medical Investigations Unit. Applicant may Petition the Medical Coordinator to reduce the frequency of the tests after a twelve (12) month period of negative results. Any positive result shall be reported immediately to the Department.
- C. Applicant shall attend psychotherapy sessions with a psychiatrist at least one (1) time every month. Applicant shall submit quarterly reports from his psychiatrist.

- D. Applicant shall enter an aftercare agreement and program subject to the approval of the Medical Coordinator. Applicant must submit proof of the aftercare agreement to the Medical Coordinator. Any violation of the aftercare agreement shall constitute a violation of this Consent Order.
- E. Applicant shall abstain from alcohol and all mood altering/psychoactive drugs except those that are prescribed by his primary care physician.
- F. That during the period of Probation Applicant shall submit a quarterly report from his primary care physician. This evaluation shall include a statement as to his overall health.
- G. Applicant shall submit quarterly reports from his employer, if Applicant requires a medical license for employment, Chief of Medical Staff and Department Chairperson attesting to the Applicant's work performance.
- H. Applicant shall submit a personal statement on a quarterly basis.
- I. Applicant shall Petition the Medical Coordinator to reduce the frequency of all quarterly reports to semi-annual reports during the last three (3) years of this agreement if he has been in complete compliance with the terms and conditions of this Consent Order.
- J. Applicant shall be issued a controlled substances license however he is prohibited from prescribing medication for himself and to members of his immediate family.

- K. All reports shall be submitted to the Department's Medical Investigations Unit, 100 West Randolph Street, Suite 9-300, Chicago, Illinois 60601.
- L. Applicant shall appear before the full Medical Disciplinary Board on or after July 1, 2003.
- M. Any violation by Applicant of the terms and conditions of this Consent Order shall be grounds for the Department to immediately file a Complaint to revoke the Applicant's license to practice as a Physician and Surgeon in the State of Illinois.
- N. 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

2/20/98  
DATE

[Signature]  
James G. Pittacora  
Attorney for the Department

2/11/98  
DATE

Richard Famularo, M.D.  
Richard Famularo, M.D.  
Applicant

2/20/98  
DATE

Roger A. Pope, D.O.  
Member, Medical Licensing Board

The foregoing Consent Order is approved in full.

DATED THIS 13<sup>th</sup> day of March, 1998.

DEPARTMENT OF PROFESSIONAL REGULATION  
of the State of Illinois

[Signature]  
NIKKI M. ZOLLAR  
DIRECTOR

NMZ:JGP:reu

REF: License No. 033-059177  
C.S. License No. 003-036058287-01  
Case No. 97-5289-LEG

STATE OF ILLINOIS

DEPARTMENT OF PROFESSIONAL REGULATION

IN RE: The Application of )  
RICHARD FAMULARO, M.D. ) No. 97-5289-LEG  
License No. 036-058287, Applicant )

CONSENT ORDER

The Department of Professional Regulation by James G. Pittacora, one of its attorneys, and Richard Famularo, M.D., Applicant, hereby agree to the following:

STIPULATIONS

Richard Famularo, M.D. has applied for a Physician and Surgeon license in the State of Illinois. 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 the Applicant's Physician and Surgeon's license is Indefinitely Suspended in the State of Massachusetts for improper prescribing of medication. The Applicant's Illinois Physician and Surgeon's license is non-renewed.

The Applicant appeared for an interview with the Medical Licensing Board on July 9, 1997 at their regularly scheduled meeting.

Applicant 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.



Applicant knowingly waives each of these rights, as well as any right to administrative review of this Consent Order.

Applicant and the Department have agreed, in order to resolve this matter, that Richard Famularo, M.D. 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 James G. Pittacora, its attorney, and Richard Famularo, M.D., agree:

- A. Applicant shall be issued a Physician and Surgeon license upon approval of this Order by the Medical Licensing Board, and by the Director and his license shall be Probational for a minimum of five (5) years.
- B. That during the period of Probation, Applicant shall be subject to periodic unannounced blood, urine, alcohol and/or drug screens at least one (1) time per month. Reports of such screens shall be submitted on a quarterly basis to the Medical Investigations Unit. Applicant may Petition the Medical Coordinator to reduce the frequency of the tests after a twelve (12) month period of negative results. Any positive result shall be reported immediately to the Department.
- C. Applicant shall attend psychotherapy sessions with a psychiatrist at least one (1) time every month. Applicant shall submit quarterly reports from his psychiatrist.

- D. Applicant shall enter an aftercare agreement and program subject to the approval of the Medical Coordinator. Applicant must submit proof of the aftercare agreement to the Medical Coordinator. Any violation of the aftercare agreement shall constitute a violation of this Consent Order.
- E. Applicant shall abstain from alcohol and all mood altering/psychoactive drugs except those that are prescribed by his primary care physician.
- F. That during the period of Probation Applicant shall submit a quarterly report from his primary care physician. This evaluation shall include a statement as to his overall health.
- G. Applicant shall submit quarterly reports from his employer, if Applicant requires a medical license for employment, Chief of Medical Staff and Department Chairperson attesting to the Applicant's work performance.
- H. Applicant shall submit a personal statement on a quarterly basis.
- I. Applicant shall Petition the Medical Coordinator to reduce the frequency of all quarterly reports to semi-annual reports during the last three (3) years of this agreement if he has been in complete compliance with the terms and conditions of this Consent Order.
- J. Applicant shall be issued a controlled substances license however he is prohibited from prescribing medication for himself and to members of his immediate family.

- K. All reports shall be submitted to the Department's Medical Investigations Unit, 100 West Randolph Street, Suite 9-300, Chicago, Illinois 60601.
- L. Applicant shall appear before the full Medical Disciplinary Board on or after July 1, 2003.
- M. Any violation by Applicant of the terms and conditions of this Consent Order shall be grounds for the Department to immediately file a Complaint to revoke the Applicant's license to practice as a Physician and Surgeon in the State of Illinois.
- N. 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

1/22/97  
DATE

*James G. Pittacora*  
James G. Pittacora  
Attorney for the Department

8/18/97  
DATE

*Richard Famularo*  
Richard Famularo, M.D.  
Applicant

8/23/97  
DATE

*Roger A. Pope, D.D.*  
Member, Medical Licensing Board

The foregoing Consent Order is approved in full.

DATED THIS 16th day of September, 1997.

DEPARTMENT OF PROFESSIONAL REGULATION  
of the State of Illinois

*Nikki M. Zollar*  
NIKKI M. ZOLLAR  
DIRECTOR

NMZ:JGP:reu

REF: Application No. 036-058287  
Case No. 97-5289-LEG