

**STATE OF ILLINOIS  
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION  
DIVISION OF PROFESSIONAL REGULATION**

In Re Petition for Restoration of )  
 )  
 ) No. 2011-09632  
Muhammad S. Choudhary, M.D. )  
License No. 036-081407, Petitioner. )

**CONSENT ORDER**

The Department of Financial and Professional Regulation, Division of Professional Regulation, of the State of Illinois, by Vladimir Lozovskiy, one of its attorneys, (hereinafter the "Department") and Muhammad S. Choudhary, M.D. (hereinafter the "Petitioner"), through Michael K. Goldberg, his attorney, hereby agree to the following:

**STIPULATIONS**

Muhammad S. Choudhary, M.D. is licensed as a Physician and Surgeon in the State of Illinois, holding Illinois Physician and Surgeon License No. 036-081407. Said Illinois Physician and Surgeon License and Illinois Controlled Substance License are in indefinitely suspended status. At all times material to the matter(s) set forth in this Consent Order, the Department of Financial and Professional Regulation, Division of Professional Regulation, of the State of Illinois had jurisdiction over the subject matter and parties herein.

In December 2012, Petitioner's Illinois Physician and Surgeon License was indefinitely suspended for a minimum of three (3) years for Felony Worker's Compensation Fraud conviction in the Court of Common Pleas, Franklin County, Ohio. In December 2015, Petitioner filed his 1<sup>st</sup> Petition to Restore. After successfully passing SPEX examination on 3<sup>rd</sup> attempt, Petitioner proceeded to formal hearing in this matter in June 2018. In January 2019, the Director denied 1<sup>st</sup> Petition to Restore after a formal hearing in his matter. In February 2019, Petitioner filed an administrative review of the Director's January 2019 Order. In March 2019, Petitioner

voluntarily withdrew his administrative review. In September 2019, Petitioner filed his 2<sup>nd</sup> Petition to Restore along with the supporting documentation. On October 7, 2020, an Informal Conference was held in this matter via Webex. Shami Goyal, M.D. was present on behalf of the Medical Disciplinary Board and Vladimir Lozovskiy, staff attorney, was present for the Department. Petitioner appeared along with Michael K Goldberg and Priyanka U. Desai, his attorneys. During the Informal Conference, Petitioner provided detailed information regarding his current lifestyle and plans for the future. In addition, Petitioner accepted responsibility for his actions that led to suspension of his license, including admitting that he was not truthful during his prior testimony at the Formal Hearing on his 1<sup>st</sup> Petition to Restore.

Petitioner has been advised of the right to a hearing on his pending Petition and the right to administrative review of this Consent Order. Petitioner knowingly waives each of these rights. Such waiver ceases if this Consent Order is rejected by either the Medical Disciplinary Board or the Director of the Division of Professional Regulation of the Illinois Department of Financial and Professional Regulation.

Petitioner and the Department have agreed, in order to resolve this matter, that Petitioner, Muhammad S. Choudhary, M.D. be permitted to enter into a Consent Order with the Department, providing restoration of his Illinois Physician and Surgeon License with the terms and conditions outlined below.

### **CONDITIONS**

WHEREFORE, the Department, through Vladimir Lozovskiy, its attorney, and Muhammad S. Choudhary, M.D., Petitioner, through Michael K. Goldberg, his attorney, agree:

- A. The Illinois Physician and Surgeon License of Muhammad S. Choudhary, M.D., License No. 036-074038, is hereby restored from suspended status and placed on the

indefinite probation for a minimum of five (5) years, subject to payment of fees and filing of required forms with the Department;

**B.** While Petitioner is on Indefinite Probation, Petitioner shall provide the Department with quarterly reports which include: (i) current residential address and contact telephone number as well as current practice location address and contact telephone number; (ii) address and contact information for each healthcare entity where Petitioner is practicing and/or employed; (iii) description of job duties, responsibilities and name of immediate supervisor and/or Department's Chairperson; (iv) copy of any and all incident reports within the prior quarter filled against Petitioner; and (v) information, regarding any arrests, criminal, or civil actions filed, including DUI and/or other similar offenses against Petitioner; (vi) Petitioner shall notify the Department of any adverse action taken against him related to the practice of medicine by another entity including but not limited to licensing authorities, insurance companies, and state and federal agencies, within ten (10) days of said adverse action; and (vii) Petitioner shall notify the Department when he is the subject of any investigation initiated by another entity, including but not limited to licensing authorities, insurance companies, and state and federal agencies, within ten (10) days of said investigation;

**C.** While Petitioner's Illinois Physician and Surgeon License is on Probation, Petitioner shall notify the Department's designated Probation Investigations Investigator in writing of any change in employment and/or home address and/or telephone number within ten (10) days;

**D.** While Petitioner's Illinois Physician and Surgeon License is on Probation, Petitioner is not allowed to work in solo practice. Petitioner can only work in a group-setting with two or more Illinois Physician and Surgeons that have unrestricted Illinois Physician and Surgeon

Licenses that has never been disciplined by any state and/or federal agencies. Said practice setting shall be pre-approved in writing by the Department's Chief Medical Coordinator;

E. Petitioner is not allowed to work in: (1) home-care setting; (2) practice that is not owned and operated by Illinois Physician and Surgeon License that has unrestricted Illinois Physician and Surgeon Licenses that has never been disciplined by any state and/or federal agencies;

F. Prior to engaging and/or changing employment that requires utilization of Illinois Physician and Surgeon License, Petitioner has to obtain a written pre-approval of the setting from the Department's Chief Medical Coordinator;

G. Petitioner shall request the designated person from every healthcare entity, where he is practicing medicine/utilizing his Illinois Physician and Surgeon License, to submit quarterly reports to the Department regarding any issues arising out of his employment and practice of medicine;

H. Within 60 days of the final approval of this Consent Order, Petitioner shall obtain a practice monitor, who is a licensed Physician and Surgeon in the State of Illinois. Said practice monitor cannot be affiliated with Petitioner's practice. Said practice monitor shall have an unrestricted Illinois Physician and Surgeon License that has never been disciplined by any state and/or federal agencies. The practice monitor shall be hired at the expense of Petitioner and shall be pre-approved by the Chief Medical Coordinator of the Department. Petitioner shall request that his practice monitor submit quarterly reports about scope and performance appraisals. On a quarterly basis the practice monitor shall meet with Petitioner and randomly select and review ten (10) charts of patients who have been seen by Petitioner during the quarter. The practice monitor shall review the charts of those patients and submit independent quarterly reports to the Department evaluating the scope, appropriateness, and

quality of medical care rendered by Petitioner;

I. The practice monitor shall agree to inform the Department immediately if there is evidence of inappropriate behavior, professional misconduct, a violation of Petitioner's probation or any violation of the laws and rules governing the practice of medicine;

J. Petitioner shall notify the Department's Probation Unit within 10 (ten) days should his relationship with any practice monitor cease. Petitioner shall submit to the Department's Chief Medical Coordinator a name of a new practice monitor within 30 days from the date of the initial Notice;

K. While Petitioner's Illinois Physician and Surgeon License is on Probation, Petitioner is required to submit annually a proof of completion of thirty (30) Category I CME hours in Psychiatry. Said CMEs need to be pre-approved in writing by the Department's Chief Medical Coordinator. Said CMEs are allowed to be counted towards regularly required CMEs pursuant to the Illinois Medical Practice Act;

L. Upon securing a pre-approved practice location, Petitioner shall be subject to the following restrictions:

1. During initial six (6) months of actual clinical practice, 100% of patient encounters have to be directly supervised by an Illinois Physician and Surgeon who is Board-certified in psychiatry;
2. During second six (6) months of actual clinical practice, 50 % of patient encounters have to be directly supervised by an Illinois Physician and Surgeon who is Board-certified in psychiatry.

M. Said Illinois Physician and Surgeon, who is responsible for direct supervision of Petitioner's patient encounters, has to be pre-approved in writing by the Department's Chief Medical Coordinator. Said direct supervisor has to submit independent quarterly

reports to the Department evaluating the scope, appropriateness, and quality of medical care rendered by Petitioner. The direct supervisor shall agree to inform the Department immediately if there is evidence of inappropriate behavior, professional misconduct, a violation of Petitioner's probation or any violation of the laws and rules governing the practice of medicine;

**N.** Upon completion of first twelve (12) months of direct supervision of patient encounters, Petitioner shall submit a written request for waiver of conditions L and M of this Consent Order. Petitioner agrees to continue to comply by conditions L and M of this Consent Order until he receives a written waiver of these conditions by the Department's Chief Medical Coordinator;

**O.** Petitioner shall take and pass all 5 topic areas Ethics and Boundaries Post-Licensure ("EBAS") Essay Examination within twelve (12) months of the effective date of this Consent Order. Information regarding how to take and pass EBAS Essay Examination is available at [www.ebas.org](http://www.ebas.org).

**P.** All the reports required to be submitted under the terms of this Probation shall be filed with the Department no later than 1/20, 4/20, 7/20 and 10/20 of each year during the full term of the Probation;

**Q.** Petitioner agrees that a violation of the terms and conditions of this Consent Order or a violation of the terms of probation is a violation of 225 ILCS 60/22(A)(15);

**R.** Petitioner shall not violate the Illinois Medical Practice Act of 1987, any other federal and state laws related to the practice of medicine as well as any other federal and state laws;

**S.** If Petitioner violates any of the terms and conditions of this Order, the Director of the Division of Professional Regulation may issue an Order forthwith mandating the


automatic, immediate, indefinite suspension of Petitioner's Illinois Physician License 036-081407 for a minimum of twelve (12) months. This indefinite suspension shall not preclude the Department from taking any other disciplinary or other actions it deems appropriate. In the event Petitioner contests in writing (by the filing of an appropriate petition with the Department) the factual basis underlying said indefinite suspension within thirty (30) days of the imposition thereof, then Petitioner shall be afforded a hearing on the merits within thirty (30) days from filing of said petition;

T. Upon effective date of this Consent Order, Petitioner shall provide a copy of this Consent Order to his employer, practice monitor and direct supervisor;

U. This Consent Order shall become effective immediately after it is approved by the Director of the Division of Professional Regulation of the Illinois Department of Financial and Professional Regulation.


11/18/2020

DATE

  
Vladimir Lozovskiy, Attorney for the Department


11/17/2020

DATE

  
Muhammad S. Choudhary, M.D., Petitioner


11/17/2020

DATE

  
Michael K. Goldberg, Attorney for Petitioner

12-2-2020


DATE

  
Member, Medical Disciplinary Board

The foregoing Consent Order is approved in full.

DATED THIS 14th day of December, 2020.

**DEPARTMENT OF FINANCIAL AND PROFESSIONAL  
REGULATION of the State of Illinois;  
Deborah Hagan, Secretary  
DIVISION OF PROFESSIONAL REGULATION**

  
Cecilia Abundis  
Acting Director

REF: Case No. 2011-09632/License No. 036-081407