

Mark C. Meyer. During the Informal Conference, Petitioner provided information regarding his clinical background and plans for the future as well as accepted full responsibility for his actions that led to the suspension of his Illinois Physician and Surgeon License. In addition, Petitioner submitted a proof of completion of his criminal sentence, letters of support from his colleagues and proof of passing of EBAS Examination. Subsequently, Petitioner has submitted a proof of in-person attendance of PBI Professional Boundaries and Ethics Course in Irvine, California on June 21-23, 2019.

Petitioner has been advised of the right to a hearing on his Petition for Restoration and the right to Administrative Review of any Order resulting from a hearing. Petitioner knowingly waives each of these rights, as well as any right to administrative review of this Consent Order. Such waiver ceases if this Consent Order is rejected by either the Director or the Medical Disciplinary Board. Petitioner acknowledges that he has freely and willfully entered into this Consent Order without any threat or coercion by any person. Petitioner has not relied upon any representation by or on behalf of the Department other than those set forth herein.

The Petitioner and the Department have agreed, in order to resolve this matter, that Petitioner be allowed to enter into a Consent Order with the Department, providing for the restoration of his Illinois Physician and Surgeon License at this time.

CONDITIONS

WHEREFORE, the Department, through Vladimir Lozovski, its attorney, and Marek Walczyk, M.D., Respondent, through Mark C. Meyer, his attorney, agree:

- A. Upon effective date of this Consent Order, Illinois Physician and Surgeon License of Marek Walczyk, M.D., License No. 036-107779, is hereby restored from suspended status and thereafter placed on the indefinite probation for a minimum of three (3) years;
- B. 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 has admitting privileges and/or employed; (iii) names of all the subordinates that are employed and/or supervised by Petitioner during the reporting quarter; (iv) description of job duties, responsibilities and name of immediate supervisor and/or Department's Chairperson; (v) copy of any and all incident reports within the prior quarter filled against Petitioner; and (vi) information, regarding any arrests, criminal, or civil actions filed, including DUI and/or other similar offenses against Petitioner; (vii) 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 (viii) 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. Petitioner shall notify the Department's Chief of Probation Investigations in writing of any change in employment and/or home address and/or telephone number within ten (10) days;

D. Within 60 days of the approval of his practice, Petitioner shall obtain a practice monitor, who is a licensed Physician and Surgeon in the State of Illinois. Said practice monitor shall have an unrestricted Illinois Physician and Surgeon License that has never been disciplined by any state and/or federal agencies. Said practice monitor shall be Board-certified and practice in the same field as Petitioner. Said practice monitor cannot be affiliated with Petitioner's practice and/or have any personal relationship with Petitioner. 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. If Petitioner is not engaged in clinical practice of medicine, Petitioner will not be required to secure services of the practice monitor until his clinical practice is approved by the Department;

E. 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;

F. 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 Notice;

G. Petitioner is not allowed to work in solo practice for minimum of first 12 (twelve) months of his Probation. Petitioner can only work in a group-setting with one 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;

H. 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;

I. 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;

J. Petitioner shall request his employer to submit quarterly reports to the Department regarding Petitioner's scope of practice, practice location(s) and any issues related to Petitioner's practice of medicine;

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

L. Petitioner is prohibited from performing and/or engaging in any immigration services;

M. Petitioner shall ensure that all the reports required to be submitted under the terms of this Probation shall be filed with the Department no later than 1/10, 4/10, 7/10 and 10/10 of each year during the full term of the Probation;

N. 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);

O. 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;

P. 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 and Surgeon License 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;

Q. 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.

8/2/2019

DATE Vladimir Lozovski, Attorney for the Department

07/30/2019

DATE Marek Walczyk, M.D., Petitioner

-8/2/2019

DATE

Mark C. Meyer, Attorney for Petitioner

8/7/19

DATE Member, Medical Disciplinary Board

The foregoing Consent Order is approved in full.

DATED THIS 19th day of August, 2019.

**DEPARTMENT OF FINANCIAL AND
PROFESSIONAL REGULATION of
the State of Illinois, Deborah Hagan, Secretary
Division of Professional Regulations**



Cecilia Abundis, Acting Director

REF: Case No. 2015-10395/License No. 036-107779