

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

DEPARTMENT OF FINANCIAL AND PROFESSIONAL	)	
REGULATION of the State of Illinois,	)	
DIVISION OF PROFESSIONAL REGULATION,	)	
	)	Complainant,
	)	No. 2017-02925
v.	)	
RIAZ AHMAD BABER, M.D.,	)	
License No. 036.053870,	)	Respondent.

**CONSENT ORDER**

The Department of Financial and Professional Regulation of the State of Illinois, Division of Professional Regulation (Department), by and through Daniel Valentin, Staff Attorney, and Riaz Ahmad Baber M.D. (Respondent), by and through his attorney, David J. Tecson, hereby agree to the following:

**STIPULATIONS**

Respondent holds a Certificate of Registration as a Licensed Physician and Surgeon in the State of Illinois, License No. 036.053870. Respondent's license is currently in ACTIVE status. At all times material to the matter set forth in this Consent Order, the Department had jurisdiction over the subject matter and parties herein.

On March 22, 2017, the Department received information regarding Respondent's potential violation of private health information rights of numerous patients. A local news outlet reported that thousands of medical files under Respondent's custody were stored in an unsecured basement. The Department corroborated that the local news outlet had gained access to the basement and took video footage of the medical records at issue. Multiple complaints related to the same incident were subsequently received by the Department.

The allegations as set forth herein, if proven to be true, would constitute grounds for the Department to revoke, suspend, or otherwise discipline Respondent's license as a Physician and Surgeon on the authority of 225 ILCS 60/22(A)(4), (5) and (41); 68 Ill. Admin. Code 1285.240; and 20 ILCS 2105/2105-130.

Pursuant to 20 ILCS 2105/2105-130, the following factors were considered in mitigation: (1) Respondent has fully cooperated with the Department; and (2) Respondent took immediate actions to remediate the situation, including securing the medical records at an appropriate storage facility, and notifying his patients of the potential healthcare data breach. Additionally, Respondent respectfully contends that, while he understands he is responsible of securing the medical records at issue, the basement at the time was his own property and that any violation of private health information rights was caused by the local news outlet that took video footage of the medical records and the tenant that gave them access to the basement.

Respondent has been advised of the right to accept or reject this Consent Order. Respondent has been advised of the right to a hearing to contest any charges brought and the right to administrative review of any order resulting from said hearing. Respondent knowingly waives each of these rights, as well as the right to administrative review of this Consent Order. Such waiver ceases if this Consent Order is rejected by either the Illinois State Medical Board (Board) or the Director of the Division of Professional Regulation of the Department (Director).

Respondent has freely and willingly entered into this Consent Order without any threat or coercion by any person. Respondent acknowledges that he has not relied upon any statement or promise made on behalf of the Department except as set forth in writing herein. Respondent and the Department have agreed, in order to resolve this matter, that Respondent be permitted to enter into a Consent Order with the Department, providing for the imposition of disciplinary measures which

are fair and equitable under the circumstances and which are consistent with the best interests of the People of the State of Illinois.

### CONDITIONS

WHEREFORE, the Department, by and through Daniel Valentín, Staff Attorney, and Riaz Ahmad Baber M.D., Respondent, by and through his attorney, David J. Tecson, hereby agree to the following:

- A. Respondent's Illinois Physician and Surgeon License, No. 036.053870, shall be REPRIMANDED.
- B. Respondent shall pay a fine of **four thousand dollars (\$4,000.00)**. Said fine shall be paid within **sixty (60) days** of the Director's signing and approval of this Order. The fine is to be paid by personal check, cashier's check, or personal money order. Said check shall be made payable to "Illinois Department of Financial and Professional Regulation" and mailed to the following address:

**Illinois Dept. of Financial and Professional Regulation  
SSC- Accounts Receivable Section- Fines  
PO BOX 7086  
Springfield, Illinois 62791-7086**

- 1. In the notation portion of the check, Respondent shall list the above stated case number and Respondent's license number. In the event that Respondent fails to pay the fine, and the Department is forced to initiate a collection effort to retrieve the fine, Respondent shall be responsible for all costs and fees incurred by the Department in said collection process.
- 2. In the event that Respondent fails to pay the fine within **sixty (60) days** of the effective date of this Consent Order, Respondent acknowledges and agrees that his failure to pay the fine permit the Director to issue an Order forthwith mandating the automatic, indefinite, and immediate suspension of Respondent's Illinois

Physician and Surgeon License No. 036.053870 for a minimum period of twelve (12) months. In the event that Respondent contests the factual basis underlying said indefinite suspension in a written petition that complies with the Department's Rules of Practice in Administrative Hearings, which is filed with the Department within fifteen (15) days of the effective date of the indefinite suspension, then Respondent shall be afforded a hearing on the merits within thirty (30) days from the filing of said Petition.

- C. This disposition is considered a discipline for reporting purposes to entities such as the National Practitioner Data Bank.
- D. This Consent Order shall become effective upon signing and approval by the Director.

*Signatures on following page*

1/4/2022

DATE

[REDACTED]  
Daniel Valentin  
Staff Attorney

1/03/2022  
DATE

[REDACTED]  
Riaz Ahmad Baber, M.D.  
Respondent

1/03/2022

DATE

[REDACTED]  
David J. Tecson  
Attorney for Respondent

1/19/2022

DATE

[REDACTED]  
Member  
Illinois State Medical Board

The foregoing Consent Order is approved in full.

Dated this 20th day of February, 2022.

ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION  
ACTING SECRETARY MARIO TRETO, JR.

[REDACTED]  
Acting Director Cecilia Abundis  
Division of Professional Regulation

REF: Case No. 2017-02925  
Lic. No. 036.053870