

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

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION of the State of Illinois,	Complainant,)))) No. 2017-03192)))
v. Richard S. Abrams, M.D., License No. 036-036185, CS License No. 336-007135,	Respondent.))))

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 Richard S. Abrams, M.D., (hereinafter the "Respondent"), through Scott D. Hammer, his attorney, agree to the following:

STIPULATIONS

Richard S. Abrams, M.D. is licensed as a Physician and Surgeon in the State of Illinois, holding Illinois Physician and Surgeon License No. 036-036185 and Illinois Controlled Substance License No. 336-007135. Said licenses are in Active 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.

Information has come to the attention of the Department that alleges that Respondent, Board-certified psychiatrist, inappropriately prescribed opiates to patients of his practice, which led to surrender of his DEA Registration in August 2017. The allegation(s) as set forth herein, if proven to be true, would constitute grounds for suspending, revoking or other discipline of

Respondent's license as a Physician and Surgeon, on the authority 225 Illinois Compiled Statutes, Paragraph 60/22(A) (5), (17) and (33).

Subsequently, the Department filed a formal Complaint and while the Complaint was pending, the Department and Respondent, through his attorney, Scott D. Hammer, engaged in negotiations for an amicable resolution of the pending matter. For purposes of this Consent Order only, Respondent acknowledges that should this matter proceed to a contested hearing, the Illinois Medical Disciplinary Board (the "Board") could find a violation of the Medical Practice Act. The Department and Respondent stipulate that the above acknowledgement is made only for the purposes of this Consent Order. In the event that this Consent Order is not approved by the Board or is not approved by the Director of the Division of Professional Regulation of the Illinois Department of Financial and Professional Regulation ("Director"), this acknowledgement shall not be admissible in any proceeding and the matter will be set for an evidentiary hearing on the merits as if this Consent Order had not been submitted. In addition, upon approval of this Consent Order, neither this acknowledgement nor this Consent Order may be utilized in any other proceeding, except one to enforce this Agreement. Furthermore, Respondent consents to electronic service of the approved Consent Order in lieu of service by certified mail. Service shall be made upon Respondent's attorney at his email address.

Respondent has been advised of the right to have pending allegations reduced to written charges, the right to a hearing, the right to contest any charges brought, and the right to administrative review of this Consent Order. 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 Medical Disciplinary Board or the Director of the Division of Professional Regulation of the Illinois Department of Financial and Professional Regulation.

Respondent and the Department have agreed, in order to resolve this matter, that Respondent, Richard S. Abrams, 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 under the circumstances and which are consistent with the best interests of the people of the State of Illinois.

CONDITIONS

WHEREFORE, the Department, through Vladimir Lozovskiy, its attorney, and Michael R. Binder, M.D., Respondent, agree:

- A. Illinois Physician and Surgeon License of Richard S. Abrams, M.D., License No. 036-036185, is hereby placed on Indefinite Probation for minimum of one (1) year from the final approval of this Consent Order by the Director of the Division of Professional Regulation;
- B. Illinois Controlled Substance License of Richard S. Abrams, M.D., License No. 336-007135, is hereby placed on permanent Inactive Status;
- C. While Respondent's Illinois Physician and Surgeon License is on Probation, Respondent 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 Respondent has admitting privileges 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 Respondent; and (v) information, regarding any arrests, criminal, or civil actions filed, including DUI and/or other similar offenses against the Respondent;
- D. While Respondent's Illinois Physician and Surgeon License is on Probation, Respondent

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;

E. Within 60 days of the final approval of this Consent Order, Respondent shall obtain a practice monitor, who is a licensed Physician and Surgeon in the State of Illinois. Said practice monitor cannot be affiliated with Respondent'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 Respondent and shall be pre-approved by the Chief Medical Coordinator of the Department. Respondent shall request that his practice monitor submit quarterly reports about scope and performance appraisals. On a quarterly basis the practice monitor shall meet with Respondent and randomly select and review ten (10) charts of patients who have been seen by Respondent 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 Respondent;

F. The practice monitor 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;

G. Respondent shall notify the Department's Probation Unit within 10 (ten) days should his relationship with any practice monitor cease. Respondent 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 as described in paragraph G.

H. While Illinois Physician and Surgeon License is on Probation, Respondent shall show a proof of completion of 10 (ten) Category I CMEs regarding professional responsibility and medical ethics. Said CMEs have to be pre-approved in writing by Chief Medical

Coordinator and said CMEs are not allowed be used as a part of annually required CMEs for the next reporting period;

I. 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. Said reports will be transmitted to the Department's Probation Unit at the location to be determined at the later time;

J. Respondent 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);

K. Respondent 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;

L. If Respondent 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 Respondent's Illinois Physician License 036-036185 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 Respondent 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 Respondent shall be afforded a hearing on the merits within thirty (30) days from filing of said petition;

M. 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.

5/10/18
DATE

[REDACTED]
Vladimir Lozovski, Attorney for the Department

5-5-18
DATE

[REDACTED]
Richard S. Abrams, M.D., Respondent

5-10-18
DATE

[REDACTED]
Scott D. Hammer, M.D., Attorney for Respondent

5/16/18
DATE

[REDACTED]
Member, Medical Disciplinary Board

The foregoing Consent Order is approved in full.

DATED THIS 23 day of June, 2017.

**DEPARTMENT OF FINANCIAL AND
PROFESSIONAL REGULATION of
the State of Illinois, Bryan A. Schneider, Secretary
Division of Professional Regulations**

[REDACTED]

Jessica Baer
DIRECTOR

REF: Case No. 2017-03192/ License No. 036-036185 and 336-007135