

**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,)
v.) No. 2017-04232
DAVID B. ALTMAN, M.D.)
License No. 036-047157, Respondent.)

CONSENT ORDER

The Department of Financial and Professional Regulation, Division of Professional Regulation, of the State of Illinois, by Vladimir Lozovski, one of its attorneys, (hereinafter the "Department") and David B. Altman, M.D., (hereinafter the "Respondent"), through Scott Hammer, his attorney, hereby agree to the following:

STIPULATION

David B. Altman, M.D. is duly registered as a Physician and Surgeon in the State of Illinois, License No. 036-047157. Said Illinois Physician and Surgeon License is presently in inactive status. That 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 Department's attention that as a part of psychiatric evaluation performed by Respondent, he used threat of the possibility of a diagnosis that would result in permanently ~~barring~~ a pilot-in-question from working as a commercial airline pilot to discourage said patient to file a complaint against Respondent with the Department, all in violation of Section 60/22(A)(5) of the Illinois Medical Practice Act.

Specifically, the Department Complaint indicated that as a part of his April 28,

2014 Preliminary Report to the FAA regarding the pilot-in-question, Dr. Altman wrote the following:

(A) If the pilot-in-question responds to the report by any of the following, his response would suggest one of the diagnoses which would be a permanent bar from flying:

- i. He would further delay the evaluation;
- ii. He would begin legal action against me [Respondent];
- iii. He would file a complaint with the medical board of the State of Illinois;
- iv. He would rescind the releases for the FAA and he would probably blame this action on advice from an unidentified attorney;
- v. He would continue to maintain that the evaluation has no legitimacy;
- vi. He would continue to block the releases he signed during his first interview; and
- vii. In his messages he would continue to allude to upcoming legal action.

(B) If the patient-in-question responds to the report in the following manner, it would suggest a diagnosis which is potentially resolvable:

- i. He rapidly reschedules the appointments needed to complete the evaluation, complete all requested questionnaires and essays;

- ii. Permits full contact with requested sources of information;
- iii. He discontinues his litigious/adversarial stance; and
- iv. He takes responsibility for his problematic actions.

While the Department's Complaint was pending, the Department held an informal conference in this matter on December 4, 2019. Dr. Peter Hoffmann and Dr. Karen O'Mara were the Medical Disiplinary Board members in attendance. Vladimir Lozovski, staff attorney, and Dr. Brian Zachariah, Chief Medical Coordinator, appeared on behalf of the Department. Respondent appeared in person along with his attorney, Scott Hammer. During the informal conference, Respondent provided information regarding his clinical experience, current practice and plans for the future as well as discussed the issues that led to the current Department's pending action. Furthermore, Respondent outlined the following positions regarding the Department's Complaint:

- (A) The Respondent was conducting an evaluation based upon the FAA Regulatory Standards, which are different than standard medical practice. The pilot was not a patient. He was an examinee. The Respondent was not providing medical treatment. He was conducting an evaluation;
- (B) Only the FAA physicians can make a decision regarding a pilot's ability to receive or not receive a medical certificate. Without an FAA-issued medical certificate, a pilot cannot fly any aircraft. As a consultant to the FAA, The Respondent does not have the authority to make the determination that a pilot should be barred from working as a commercial airline pilot;
- (C) In the portion of the report presented above, the Respondent was attempting to warn the pilot that the manner in which he was responding to the evaluation, in

addition to the issues which led to the referral, could cause the FAA physicians to find that he had a medically disqualifying condition;

(D) All of the behaviors listed as potentially being a “permanent bar” as described in the April 24, 2014 preliminary report, including filing a complaint with the medical board, are consistent with the FAA Regulatory Standards for a psychiatric disorder.

In July 2020, the Department and Respondent, through his attorney, engaged in additional negotiations for an amicable resolution of this matter. Respondent neither admits nor denies the alleged information, however he 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. Respondent has been advised of the right to request a hearing on the pending Department’s Complaint, the right to administrative review of any Order resulting from a hearing. Respondent knowingly waives each of these rights, as well as any right to administrative review of this Consent Order. The Department and Respondent stipulate that this Consent Order resolves all pending matters with the Department as of the date of the final approval of this Consent Order.


Respondent and the Department have agreed, in order to resolve this matter, that, David B. Altman, M.D. be permitted to enter into a Consent Order with the Department, providing for the imposition of measures which are fair and equitable in the circumstances and which are consistent with the best interest of the people of the State of Illinois.

CONDITIONS

WHEREFORE, the Department, through Vladimir Lozovskiy, one of its attorneys, and David B. Altman, M.D., Respondent, through Scott Hammer, his attorney, agree to the following:

- A. Upon effective date of this Consent Order, Illinois Physician and Surgeon License of David B. Altman, M.D., License No. 036-047157, is hereby placed on permanent inactive status;
- B. Respondent agrees that this Order is formal public action reportable to all relevant authorities and entities responsible for licensing and regulation of healthcare providers;
- C. This Consent Order shall become effective after it is approved by the Director of the Division of Professional Regulation.

7/22/2020
DATE


Vladimir Lozovskiy, Attorney for Department


7/21/20
DATE


David B. Altman, M.D., Respondent

7-21-2020
DATE


Scott Hammer, Attorney for Respondent

8/5/2020
DATE


Member, Medical Disciplinary Board

The foregoing Consent Order is approved in full.

DATED THIS 24th day of August, 2020.

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

A black rectangular redaction box covers the signature of Cecilia Abundis. A horizontal line extends from the right side of the box to the right.

Cecilia Abundis, Acting Director

IDFPR Case No. 2017-04232/License No. 036-047157