

**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.))
v.))	No. 2018-01025
Shivkumar Pandian, M.D.)))
License No. 036-130036,	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 Shivkumar Pandian, M.D. (hereinafter the "Respondent"), through Scott D. Hammer, his attorney, agree to the following:

STIPULATIONS

Shivkumar Pandian, M.D. is licensed as a Physician and Surgeon in the State of Illinois, holding Illinois Physician and Surgeon License No. 036-130036. Said license is 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 in December 2018, Respondent surrendered for cause his DEA Registration for inappropriate prescribing of Xanax to a patient of his psychiatric practice. In 2019, his DEA Registration was restored. The allegation(s) as set forth herein, if proven to be true, may constitute grounds for suspending, revoking or other discipline of Respondent's license as a Physician and Surgeon, on the authority of 225 Illinois Compiled Statutes, Paragraph 60/22(A)(5) and (33).

Subsequently, the Department filed a formal complaint and while the complaint was pending, the Department and Respondent, through his attorney, have entered into negotiations for an amicable resolution of this matter. During negotiations, Respondent provided information regarding the changes that he has implemented in his practice, including policies and protocols that were implemented in 2019. Subsequently, Respondent's documents were reviewed by Shami Goyal, M.D., member of the Illinois Medical Disciplinary Board.

For purposes of this Consent Order, 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. 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.

Respondent has been advised of 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, Shivkumar Pandian, 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 Shivkumar Pandian, M.D., Respondent, through Scott D. Hammer, his attorney, agree:

A. Illinois Physician and Surgeon License of Shivkumar Pandian, M.D., License No. 036-130036, is hereby reprimanded;

B. Within twelve (12) months of the effective date of this Consent Order, Respondent shall show a proof of completion of:

- i. Ten (10) Category I CMEs in the area of Controlled Substance prescribing and management;
- ii. Ten (10) Category I CMEs in the area of professional responsibility;

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;

C. Respondent shall be fined in the amount of fifteen thousand (\$15,000) dollars. Respondent shall pay the aforementioned fine within twelve (12) months from the final approval of this Order. Respondent shall submit a check payable to the Illinois Department of Financial and Professional Regulation. Said check shall be mailed to the Illinois Department of Financial and Professional Regulation, Attention: CMU/Accounts Receivable – Fine Payments, 320 W. Washington St., 3rd Floor, Springfield, Illinois 62786;

D. 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;


E. 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 036-130036 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;

F. 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.


8/26/2020

DATE


Vladimir Lozovskiy, Attorney for the Department

8/21/20

DATE


Shivkumar Pandian, M.D., Respondent


8-24-2020

DATE


Scott D. Hammer, Attorney for Respondent

9-2-2020

DATE


Member, Medical Disciplinary Board

The foregoing Consent Order is approved in full.

DATED THIS 21st day of September, 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. 2018-01025/License No. 036-130036