

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

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| DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION of the State of Illinois, | | Complainant, |) |
| v. | | |) |
| Kathleen M. Bottum, M.D. License No. 036-106742, | | Respondent. |) No. 2019-986)) |

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 Kathleen M. Bottum, M.D. (hereinafter the “Respondent”), through Jacqueline Stein of the Law Offices of Michael V. Favia, hereby agree to the following:

STIPULATIONS

Kathleen M. Bottum, M.D. is licensed as a Physician and Surgeon in the State of Illinois, holding Illinois Physician and Surgeon License No. 036-106742. 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 Respondent prescribed Controlled Substances to several patients of her practice without taking into consideration signs and symptoms of drug addiction and dependence. 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) and (33).

Subsequently, the Department held an Informal Conference in this matter on June 6, 2019. Dr. Karen O'Mara appeared for the Illinois Medical Disciplinary Board and Vladimir Lozovskiy, staff attorney, appeared for the Department. Respondent appeared in person along with her attorney, Jacqueline Stein. During informal conference, Respondent provided information regarding her education and experience, discussed her care and treatment of the patients-in-question and plans for the future.

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. 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, Kathleen M. Bottum, 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 Kathleen M. Bottum, M.D., Respondent, through Jacqueline Stein, her attorney, agree:

- A. Illinois Physician and Surgeon License of Kathleen M. Bottum, M.D., License No. 036-106742, is hereby placed on indefinite probation for minimum of two (2) years;
- B. During a period of 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) names of Nurse Practitioners and/or Physician Assistants that are employed and/or supervised by Respondent 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 Respondent; and (vi) information, regarding any arrests, criminal, or civil actions filed, including DUI and/or other similar offenses against the Respondent; (vii) Respondent shall notify the Department of any adverse action taken against her 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) Respondent shall notify the Department when she 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. During a period of 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;
- D. During a period of Probation, Respondent shall request the designated person from every healthcare entity, where she is practicing medicine/utilizing his Physician and Surgeon License, to submit quarterly reports to the Department regarding any issues arising out of her employment and practice of medicine;
- 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 her 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. During a period of Probation, 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. During a period of Probation, Respondent shall notify the Department's Probation Unit within 10 (ten) days should her 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 initial Notice as described in paragraph F;
- H. During a first year of the Probation, Respondent is required to submit a proof of completion of: (i) in-person Controlled Substance prescribing course that has to be pre-approved by the Department's Chief Medical Coordinator: said course has to be done within first six (6) months of the Probation; (ii) twenty (20) Category I CME credits in

- addiction medicine; (ii) ten (10) Category I CME credits in record-keeping/documentation. Said CMEs need to be pre-approved in writing by the Department's Chief Medical Coordinator. Said CMEs are allowed to be counted towards regularly required CMEs pursuant to the Illinois Medical Practice Act;
- I. During a second year of the Probation, Respondent is required to submit a proof of completion of: (i) twenty (20) Category I CME credits in Controlled Substance prescribing; (ii) twenty (20) Category I CME credits in addiction medicine; (iii) ten (10) Category I CME credits in record-keeping/documentation. Said CMEs need to be pre-approved in writing by the Department's Chief Medical Coordinator. Said CMEs are allowed to be counted towards regularly required CMEs pursuant to the Illinois Medical Practice Act;
- J. Respondent 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 1/20, 4/20, 7/20 and 10/20 of each year during the full term of the Probation;
- K. 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);
- L. 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;
- M. 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 036-106742 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;

N. 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.

7/2/19
DATE

[Redacted]

Vladimir Lozovskiy, Attorney for the Department

6/27/19
DATE

[Redacted]

Kathleen M. Bottum, M.D., Respondent

7/2/19
DATE

[Redacted]

Jacqueline Stein, Attorney for Respondent

8/7/19
DATE

[Redacted]

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**

[Redacted Signature]

Cecilia Abundis
Acting Director

REF: Case No. 2019-986/ License No. 036-106742