

[REDACTED], and consumed alcohol on two occasions on January 9 and April 17, 2022, in violation of the [REDACTED]

Additionally, on April 17, 2022, Petitioner was arrested and charged for operating a vehicle under the influence of an intoxicant in Wisconsin. Petitioner subsequently pled guilty on February 9, 2023, to operating a vehicle while intoxicated in violation to Wis. Stat. 346.63(1)(a), an unclassified misdemeanor, by the Sheboygan County Circuit Court, Wisconsin, Case No. 2022 CM 0000277. Petitioner is currently compliant with the conditions ordered by the Sheboygan County Circuit Court.

On March 14, 2023, Petitioner filed a *Petition for Restoration* to request the restoration of her medical license for the State of Illinois. Petitioner explained *inter alia* that she has fully complied with the terms of her indefinite suspension, that she maintains a robust treatment plan to ensure she stays in sustained recovery, and that she wishes to return to her medical practice as a psychiatrist.

On April 19, 2023, the Department held an informal conference. James Mackenzie, M.D., was present on behalf of the Illinois State Medical Board ("Board"). Daniel Valentin and Shami Goyal, M.D., Chief Medical Coordinator, were present on behalf of the Department. Petitioner appeared with her attorney, Patrick Callahan. At the informal conference, Petitioner discussed her struggles with alcohol and discussed her relapses, including a relapse that eventually led to the referenced criminal incident in Wisconsin. Petitioner's date of sobriety, which is also the date of her last relapse, is May 1, 2022. Petitioner also discussed the measures she is taking to ensure she continues her path to recovery. Of note, Petitioner was receptive to seek help as needed and did not minimize or contextualize the referenced relapses.

Petitioner has been advised of the right to accept or reject this Consent Order. Petitioner has been advised of the right to a formal hearing on her Petition for Restoration and the right to Administrative Review of any Order resulting from said hearing. Petitioner 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 Board or the Director of the Division of Professional Regulation of the Department ("Director"). Petitioner has knowingly and voluntarily entered into this Consent Order without any threat or coercion by any person. Petitioner has not relied on any statements or promises made by or on behalf of the Department other than those specifically set forth in writing herein.

CONDITIONS

WHEREFORE, the Department, by and through Daniel Valentín, Staff Attorney, and Emily M. Hoag, M.D. ("Petitioner"), by and through her attorney, Patrick Callahan, hereby agree to the following:

A. Petitioner's Illinois Physician and Surgeon, License No. 036.075632, shall be reinstated and placed on INDEFINITE PROBATION for a minimum period of five (5) years subject to the following conditions:

1. Petitioner shall take and pass all five (5) parts of the Ethics and Boundaries Assessment Services, LLC's ("EBAS") Ethics and Boundaries Examination within twelve (12) months of the effective date of this Consent Order and submit proof of successful completion to the Department's Probation Compliance Unit.
2. Petitioner shall submit quarterly reports and statements to the Department's Probation Compliance Unit that include the following:
 - a. current residential address and contact information;
 - b. current practice location(s) and contact information of an immediate supervisor and/or department chairperson;

- c. scope and description of current clinical duties, attendance record, and any and all issues arising out of the practice of medicine;
 - d. information regarding arrests and criminal or civil actions filed against Petitioner;
 - e. information regarding any adverse action taken against Petitioner related to the practice of medicine by another entity, including but not limited to licensing authorities, insurance companies, and state or federal agencies;
 - f. current treatment progress, including medications prescribed, and contact information her current treating psychiatrist and other mental healthcare providers.
 - g. compliance with all conditions of the probation as outlined in this Consent Order;
 - h. any other information requested by the Department.
3. Petitioner shall notify the Department's Probation Compliance Unit in writing of any change in employment, professional practice setting, and/or home address and/or telephone number within ten (10) days.
 4. Petitioner shall notify the Department's Probation Compliance Unit of substantial variations in the scope of her medical practice or changes in medical specialties so additional educational and monitoring requirements can be established as needed.
 5. Petitioner shall not change or procure new employment as a physician or engage in medical practice or any enterprise that requires an active Illinois Physician and Surgeon License without prior written approval from the Department's Chief Medical Coordinator. This includes, but is not limited to, changes in scope of medical practice, starting a medical business or clinic, joining a medical group, or any other activities related the practice of medicine.
 6. Petitioner shall not practice medicine in a clinical practice that is not owned, co-owned, operated, supervised, and managed strictly by physicians with unrestricted Illinois Physician and Surgeon Licenses in good standing that have never been disciplined by any state and/or federal agency.
 7. Petitioner shall limit her medical practice to no more than 40 hours of direct patient care per

week. Petitioner may request to increase her direct patient care work hours by submitting a written request to the Department that includes letters in support of such request from her treating physicians and the Aftercare Program.

8. Petitioner shall request a designated managing or supervising physician from the group where she currently practices medicine to submit quarterly reports to the Department regarding any issues arising out of Petitioner's practice of medicine. The managing or supervising physician shall immediately notify the Department if there is evidence of sub-standard care, inappropriate behavior, professional misconduct, a violation of the laws and rules governing the practice of medicine, or a violation of Petitioner's probation.
9. Petitioner shall enter and comply with all substantive conditions of an [REDACTED] [REDACTED] approved by the Department's Chief Medical Coordinator.
 - a. Within ten (10) days after approval of this Consent Order, Petitioner
 1. shall cause a copy of the completed and signed [REDACTED] to be submitted to the Department's Probation Compliance Unit;
 2. shall provide a copy of this Consent Order to her [REDACTED]
 3. shall sign all necessary releases and authorize the [REDACTED] in writing to report to the Department any positive toxicology screen results and other violations of the [REDACTED];
 4. shall notify the [REDACTED] of Petitioner's duty to ensure that the [REDACTED] submits quarterly reports to the Department;
 5. shall notify the [REDACTED] of Petitioner's duty to ensure that the [REDACTED] submits quarterly reports to the Department.
 - b. The Aftercare Program quarterly reports should document Petitioner's compliance with all recommendations and conditions outlined by the [REDACTED] results of all toxicology screening tests requested by the [REDACTED] and any other relevant treatment information pursuant to the [REDACTED]
 - c. A positive toxicology screening constitutes a violation of this Consent Order and shall be reported immediately to the Department. Petitioner's failure to submit to a toxicology

screen as requested by her [REDACTED] shall be considered and treated as a positive toxicology result.

d. Petitioner shall cause copies of any amendments to the [REDACTED] to be submitted to the Department's Probation Compliance Unit within three (3) days of the effective date of the amended agreement.

e. A violation of any of the substantive conditions of the [REDACTED] shall constitute a violation of this Consent Order.

10. Petitioner shall seek treatment from a [REDACTED] at the frequency determined by the [REDACTED] and by each of these treating physicians. Each treating physician shall have an unrestricted Illinois Physician and Surgeon license in good standing that has not been disciplined by any state or federal agency. Each treating physician shall not be affiliated with Petitioner's practice, nor have a previous financial, personal, or professional relationship with Petitioner.

11. Petitioner shall request and ensure that her treating physicians submit quarterly reports to the [REDACTED] case manager and the Department's Probation Compliance Unit advising of Petitioner's current conditions, prognosis, medications, and ongoing treatment plan.

12. Petitioner shall authorize in writing the release of all her medical and psychiatric records as necessary for use by the Board or any other Department's designee to obtain copies of medical records. Petitioner hereby authorizes the Department's designee to discuss Petitioner's case with the [REDACTED] and her treating physicians.

13. Petitioner shall regularly attend to [REDACTED] meetings at a frequency recommended by the [REDACTED] and her treating providers.

14. Petitioner must immediately notify the Department of any relapses in her condition and/or any issues that may arise involving patient care.

15. Petitioner shall notify the Department's Probation Compliance Unit of variations in her medical practice or changes in medical specialties so additional educational and monitoring requirements can be established as needed.

16. For the duration of this Consent Order, Petitioner

- a. shall not treat herself, nor prescribe any controlled substances and/or mood-altering substances for herself and/or any of her family members and/or friends;
 - b. shall not consume alcohol and/or use of mood altering and/or psychoactive drugs, except those prescribed by a primary care and/or treating physician;
 - c. shall not place her Illinois Physician and Surgeon License on INACTIVE status or allow her license to lapse into NOT RENEWED status without the Board's permission;
- B. Petitioner shall send, or cause to be sent, all report, materials and authorization requests required to be sent to the Department's Chief Medical Coordinator at fpr.medicalcoordinator@illinois.gov.
- C. All reports and information required to be submitted to the Department pursuant to this Consent Order shall be submitted to the Department's Probation Compliance Unit for review at the following address:
- Illinois Dept. of Financial and Professional Regulation**
Attn: Probation Compliance Unit
555 West Monroe St., 5th floor
Chicago, IL 60661
- D. All quarterly reports required to be submitted under the terms of this Probation shall be filed with the Department no later than January 10th, April 10th, July 10th, and October 10th of each year.
- E. Petitioner 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).
- F. Petitioner shall not violate the Illinois Medical Practice Act or any other state and/or federal laws relating to the practice of medicine.
- G. If Petitioner violates any terms or conditions of this Order, the Director may issue an order

forthwith mandating the automatic, immediate, and indefinite suspension of Petitioner's Physician and Surgeon License for a minimum of twelve (12) months. This indefinite suspension shall not preclude the Department from taking any other disciplinary or other action it deems appropriate. If Petitioner 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 Petitioner shall be afforded a hearing on the merits within thirty (30) days from the filing of said Petition.

- H. Nothing in this Consent Order shall relieve Petitioner of any additional requirements for restoration set forth in the Illinois Medical Practice Act or any related statutes or rules.
- I. This disposition is considered public discipline for reporting purposes to entities such as the National Practitioner Data Bank.
- J. This Order is a final administrative order. The effective date of this Order is the date when it is signed by the Director unless otherwise stated.

Signatures on following page

5/3/2023
DATE

[REDACTED]

Daniel Valentin
Staff Attorney

05 / 02 / 2023
DATE

[REDACTED]

Emily M. Hoag, M.D.
Petitioner

May 2, 2023
DATE

[REDACTED]

Patrick Callahan
Attorney for Petitioner

17 May 2023
DATE

[REDACTED]

Member
Illinois State Medical Board

The foregoing Consent Order is approved in full.

Dated this 24th day of May, 2023.

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

[REDACTED]

Director Cecilia Abundis
Division of Professional Regulation

REF: Case No. 2016-02522
Lic. No. 036.075632