

STATE OF ILLINOIS

DEPARTMENT OF PROFESSIONAL REGULATION

DEPARTMENT OF PROFESSIONAL REGULATION)
of the State of Illinois, Complainant)
v.) No. 93-4393-LEG
VINOD KUMAR GOYAL)
License No. 036-049046, Respondent)

NOTICE OF PRELIMINARY HEARING

TO: VINOD KUMAR GOYAL
[REDACTED]

PLEASE TAKE NOTICE that on May 13, 1996, at 9:30 a.m., you are directed to appear before the Medical Disciplinary Board of the Department of Professional Regulation of the State of Illinois located at 100 West Randolph Street, Suite 9-300, Chicago, Illinois 60601, at which time a hearing date will be set. You are requested to then and there present any and all routine motions you may wish to have heard regarding the charges contained in the attached Complaint. Any motions presented on the above date should be served on the Adjudicative Services Unit of the Department of Professional Regulation, at 100 West Randolph Street, Suite 9-300, Chicago, Illinois 60601, at least three (3) business days in advance of the scheduled meeting.

Your appearance on the scheduled date is mandatory and failure to so appear may result in the selection of a hearing date in your absence, unless a continuance has been secured in advance of the meeting. Your appearance may be made personally or through counsel.

It is required that you file a VERIFIED ANSWER to the attached Complaint with the Department of Professional Regulation by the date of the Preliminary Hearing.

RULES OF PRACTICE IN ADMINISTRATIVE HEARINGS IN THE DEPARTMENT OF PROFESSIONAL REGULATION AND BEFORE COMMITTEES OR BOARDS OF SAID DEPARTMENT are available upon request.

DEPARTMENT OF PROFESSIONAL REGULATION of
the State of Illinois


BY: [REDACTED]
John M. Goldberg
Attorney for the Department

John M. Goldberg
Attorney for the Department
of Professional Regulation
of the State of Illinois
100 West Randolph Street
Suite 9-300
Chicago, Illinois 60601
312/814-4564

JMG:reu

STATE OF ILLINOIS)
)
COUNTY OF COOK) ss:

The undersigned, being duly sworn on oath, states that on the date hereafter set out, I mailed copies of the foregoing NOTICE and COMPLAINT, by depositing them in the United States mailbox located at 100 West Randolph Street, Suite 9-300, Chicago, Illinois 60601, and by mailing them by certified mail at 100 West Randolph Street, Chicago, Illinois 60601, to all parties at the addresses listed above.



AFFIANT

Subscribed and sworn to before me this
15th day of April 19 96



NOTARY PUBLIC

~~~~~  
"OFFICIAL SEAL"  
Doris E. Barnes  
Notary Public, State of Illinois  
My Commission Expires 03/16/98  
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STATE OF ILLINOIS

DEPARTMENT OF PROFESSIONAL REGULATION

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| DEPARTMENT OF PROFESSIONAL REGULATION |) | |
| of the State of Illinois, |) | |
| v. |) | No. 93-4393-LEG |
| VINOD KUMAR GOYAL |) | |
| License No. 036-049046, |) | |
| Respondent |) | |

COMPLAINT

Now comes the DEPARTMENT OF PROFESSIONAL REGULATION of the State of Illinois, by its Acting Chief of Medical Prosecutions, Tommy Brewer, and as its COMPLAINT against Vinod Kumar Goyal, Respondent, complains as follows:

COUNT I

1. Vinod Kumar Goyal is presently the holder of a Certificate of Registration as a Physician and Surgeon in the State of Illinois, License No. 036-049046, issued by the Department of Professional Regulation of the State of Illinois. Said license is presently in active status.
2. At all times contained herein the Respondent was practicing medicine in the Chicago-land Area utilizing the names of The Center for Family Health Care, Dimensions Medical Center, American Health Center, Access Health Center, and others.
3. On August 7, 1992 the Respondent entered into a Physician-patient relationship with Felicia Feldman for the purpose of performing a therapeutic abortion.
4. Prior to learning that Felicia Feldman had medical insurance the patient was advised that the total cost

for the procedure would be Three Hundred Forty (\$340.00) Dollars.

5. Felicia Feldman's insurance company was billed Three Thousand Seven Hundred and Ninety One (\$3791.00) Dollars for the aforesaid Three Hundred Forty (\$340.00) Dollars procedure.
6. The foregoing acts and/or omissions are grounds for revocation or suspension of a Certificate of Registration pursuant to 225 Illinois Compiled Statutes (1992), paragraph(s) 60/22 (a) (6) and (25).

WHEREFORE, based on the foregoing allegations, the DEPARTMENT OF PROFESSIONAL REGULATION of the State of Illinois, by Tommy Brewer, its Acting Chief of Medical Prosecutions, prays that the Physician and Surgeon license of Vinod Kumar Goyal be suspended, revoked, or otherwise disciplined.

COUNT II

1. The Department re-alleges paragraph 1 of Count I as paragraph 1 of Count II.
2. The Department re-alleges paragraph 2 of Count I as paragraph 2 of Count II.
3. On September 21, 1991 the Respondent entered into a Physician-patient relationship with Tina Lamb for the purpose of performing a therapeutic abortion.
4. Prior to the procedure Tina Lamb and her mother, Debra Lamb, were told that the total cost for the procedure would be Three Hundred Fifty (\$350.00) Dollars.
5. Tina Lamb's insurance company was billed Three Thousand Four Hundred and Thirty (\$3430.00) Dollars

for the aforesaid Three Hundred Fifty (\$350⁸⁰) Dollars procedure.

6. The foregoing acts and/or omissions are grounds for revocation or suspension of a Certificate of Registration pursuant to 225 Illinois Compiled Statutes (1992), paragraph(s) 60/22 (a) (6) and (25).

WHEREFORE, based on the foregoing allegations, the DEPARTMENT OF PROFESSIONAL REGULATION of the State of Illinois, by Tommy Brewer, its Acting Chief of Medical Prosecutions, prays that the Physician and Surgeon license of Vinod Kumar Goyal be suspended, revoked, or otherwise disciplined.

COUNT III

1. The Department re-alleges paragraph 1 of Count I as paragraph 1 of Count III.
2. The Department re-alleges paragraph 2 of Count I as paragraph 2 of Count III.
3. On December 30, 1992 the Respondent entered into a Physician-patient relationship with Vicki Cuiert for the purpose of performing a therapeutic abortion.
4. Prior to the procedure Vicki Cuiert was told that the total cost for the procedure would be Six Hundred (\$600.00) Dollars.
5. Vicki Cuiert's insurance company was billed Three Thousand Five Hundred and Twenty-Four (\$3524.00) Dollars for the aforesaid Six Hundred (\$600.00) Dollars procedure.
6. The foregoing acts and/or omissions are grounds for revocation or suspension of a Certificate of

Registration pursuant to 225 Illinois Compiled Statutes (1992), paragraph(s) 60/22 (a) (6) and (25).

WHEREFORE, based on the foregoing allegations, the DEPARTMENT OF PROFESSIONAL REGULATION of the State of Illinois, by Tommy Brewer, its Acting Chief of Medical Prosecutions, prays that the Physician and Surgeon license of Vinod Kumar Goyal be suspended, revoked, or otherwise disciplined.

COUNT IV

1. The Department re-alleges paragraph 1 of Count I as paragraph 1 of Count IV.
2. The Department re-alleges paragraph 2 of Count I as paragraph 2 of Count IV.
3. On March 16, 1993 the Respondent entered into a Physician-patient relationship with Eleanor Buckles for the purpose of performing a therapeutic abortion.
4. Prior to the procedure Eleanor Buckles was told that the total cost for the procedure would be Three Hundred Ninety (\$390.00) Dollars.
5. Eleanor Buckles's insurance company was billed Three Thousand Seven Hundred and Eighty Six (\$3786.00) Dollars for the aforesaid Three Hundred Ninety (390.00) Dollars procedure.
6. The foregoing acts and/or omissions are grounds for revocation or suspension of a Certificate of Registration pursuant to 225 Illinois Compiled Statutes (1992), paragraph(s) 60/22 (a) (6) and (25).

WHEREFORE, based on the foregoing allegations, the DEPARTMENT OF PROFESSIONAL REGULATION of the State of Illinois, by

Tommy Brewer, its Acting Chief of Medical Prosecutions, prays that the Physician and Surgeon license of Vinod Kumar Goyal be suspended, revoked, or otherwise disciplined.

DEPARTMENT OF PROFESSIONAL REGULATION of
the State of Illinois

BY: 

TOMMY BREWER
ACTING CHIEF OF MEDICAL PROSECUTIONS

John M. Goldberg
Attorney for the Department
of Professional Regulation
of the State of Illinois
100 West Randolph Street
Suite 9-300
Chicago, Illinois 60601
312/814-4564

TB:JMG:reu

STATE OF ILLINOIS

DEPARTMENT OF PROFESSIONAL REGULATION

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| DEPARTMENT OF PROFESSIONAL REGULATION |) | |
| of the State of Illinois, |) | |
| v. |) | No. 93-4393-LEG |
| VINOD GOYAL, M.D. |) | |
| License No. 036-049046, |) | |
| Respondent |) | |

ORDER

This matter having come before the Medical Disciplinary Board of the Department of Professional Regulation of the State of Illinois, and the Medical Disciplinary Board, having approved a Stipulation and Recommendation for Settlement submitted by the parties;

NOW, THEREFORE, I, NIKKI M. ZOLLAR, DIRECTOR OF THE DEPARTMENT OF PROFESSIONAL REGULATION of the State of Illinois, do hereby adopt the Stipulation and Recommendation for Settlement approved by the Medical Disciplinary Board in this matter.

IT IS THEREFORE ORDERED that the Certificate of Registration, License No. 036-049046, heretofore issued to Vinod Goyal, M.D. to practice medicine as a Physician and Surgeon in the State of Illinois is placed on Probation for a period of two (2) years and the Respondent is fined in the amount of Four Thousand (\$4,000.00) Dollars in accordance with the Stipulation and Recommendation for Settlement which is attached hereto and incorporated herein.

IT IS FURTHER ORDERED that the Respondent immediately surrender said wall and wallet sizes of said Certificate of Registration to the Department (Prosecution Division) to be marked with the term of probation and returned. Upon failure to do so, the Department shall seize the same.

DATED THIS 9th DAY OF December, 19 96.

DEPARTMENT OF PROFESSIONAL REGULATION
of the State of Illinois



NIKKI M. ZOLLAR
DIRECTOR

NMZ:reu

STATE OF ILLINOIS

DEPARTMENT OF PROFESSIONAL REGULATION

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| DEPARTMENT OF PROFESSIONAL REGULATION |) | |
| of the State of Illinois, | Complainant |) |
| | v. |) |
| VINOD GOYAL, M.D. | |) |
| License No. 036-049046, | Respondent |) |
| | | No. 93-4393-LEG |

STIPULATION AND RECOMMENDATION FOR SETTLEMENT

The Department by John M. Goldberg, its attorney, and Vinod Goyal, M.D., Respondent, by Dennis Tobin, his attorney, submit the following Stipulation and Recommendation for Settlement to the Medical Disciplinary Board for its approval and favorable recommendation to the Director.

STIPULATION OF FACTS

1. THAT on April 5, 1996, the Department filed a Complaint against Respondent, alleging that the Respondent violated the Medical Practice Act by quoting a charge for a procedure that was substantially lower than the ultimate cost for the procedure to four (4) named patients.
2. Respondent has been advised that he has the right to be represented by counsel and has retained Dennis Tobin as his attorney. Respondent has fully discussed the allegations made in the Complaint with his counsel. Respondent has been advised that he has a right to a formal evidentiary hearing and waives such right to a hearing if this Recommendation is approved.
3. Respondent admits that at all times pertinent to the Complaint, he was a licensed Physician and Surgeon practicing in the State of Illinois.

4. Respondent admits that non-professional employees may have quoted the "hardship" cost for the procedure in question and the patients in question may not have met the hardship criteria established by the Respondent, resulting in fees that are ordinary and customary for the services rendered, but considerably higher than the quoted fee.
5. Respondent has procedures in place to prevent a re-occurrence of these complaints, which occurred in 1992 and 1993.
6. Respondent is fully aware that this Recommendation must be approved by the Medical Disciplinary Board. By submission of this Recommendation for approval, Respondent expressly waives any objection based upon prejudice should the Medical Disciplinary Board refuse to accept this Recommendation.
7. For purposes of settlement only, Respondent acknowledges that a violation of the Medical Disciplinary Act of 1987 may be found by the Medical Disciplinary Board following review of the Stipulation.
8. The parties stipulate that these admissions are made for purposes of this Recommendation only. In the event that this Recommendation is not approved by the Medical Disciplinary Board, these admissions shall not be admissible in any proceeding and the matter will be set for an evidentiary hearing on the merits as if this Recommendation had not been submitted. In addition,

upon approval of this Recommendation, these admissions may not be utilized in any other proceeding except one to enforce this agreement.

9. Respondent has been advised that he has the right to file for a rehearing of the matter within 20 days of the Medical Disciplinary Board's action in this case. Respondent hereby waives such a right to a rehearing if this Recommendation is approved.
10. Respondent has been advised that he has a right to Administrative Review of the Order entered by the Director in this case. Respondent hereby waives such right to review if this Recommendation is approved.

RECOMMENDATION FOR SETTLEMENT

11. In the interest of a prompt and just settlement in this matter in a manner consistent with the public interest and in light of the responsibilities of the Medical Disciplinary Board, the Department and the Respondent offer the following proposal for approval by the Medical Disciplinary Board. This Recommendation shall be considered to be an integrated package such that approval of this Recommendation without change is necessary.
12. Upon notification that the Recommendation has been approved and that the Director has entered an Order adopting the Recommendation of the Medical Disciplinary Board, Respondent agrees:
 - A. Respondent's license to practice medicine as a Physician and Surgeon shall be placed on Probation for two (2) years:

- 1) During the period of Probation the Respondent shall ensure that any patient who may have been quoted a "hardship" fee who does not qualify for a "hardship" fee acknowledges, in writing, their understanding of the fees and costs charged by the Respondent; and
- 2) Respondent will cease any efforts to collect any moneys in addition to the "hardship" fee for any patient who was quoted a "hardship" fee, unless there is evidence that the patient was aware of the additional costs and fees resulting from their failure to qualify for a "hardship" fee.

B. Respondent shall pay a fine in the amount of Four Thousand (\$4000.00) Dollars to the Department within thirty (30) days of the effective date of an Order adopting this Recommendation.

I have read this Stipulation and Recommendation for Settlement and have fully discussed it with my attorney. I agree to be bound by its terms.

10-14-96
DATE

[REDACTED]
Vinod Goyal, M.D.
Respondent

10-14-96
DATE

[REDACTED]
Dennis Tobin
Respondent's Attorney

10-30-96
DATE

[REDACTED]
John M. Goldberg
Attorney for the Department

The foregoing Stipulation and Recommendation for Settlement is approved by the Medical Disciplinary Board as its decision this 20th day of November, 1996. The Medical Disciplinary Board concludes that Respondent has violated the Medical Practice Act of 1987 and hereby recommends that the Director approve the Recommendation set forth herein by issuing an appropriate Order.

11/20/96
DATE

DATE

DATE

DATE

DATE

DATE

CHAIRMAN OF THE MEDICAL
DISCIPLINARY BOARD

Member

Member

Member

Member

Member

JMG:reu

STATE OF ILLINOIS
DEPARTMENT OF PROFESSIONAL REGULATION

DEPARTMENT OF PROFESSIONAL REGULATION)
of the State of Illinois, Complainant)

v.)

No. 93-4393)

VINOD KUMAR GOYAL

Respondent)

NOTICE

TO: VINOD KUMAR GOYAL
[REDACTED]

PLEASE TAKE NOTICE that the Director of the Department of Professional Regulation did sign the attached Order.

YOU ARE FURTHER NOTIFIED that you have a right to judicial review of all final administrative decisions of this Department, pursuant to the provisions of the "ADMINISTRATIVE REVIEW ACT," approved May 8, 1945, and all amendments and modifications thereof, and the rules adopted pursuant thereto.

The order of the Director of the Department of Professional Regulation will be implemented as of the date of the Order unless the Order states otherwise.

DEPARTMENT OF PROFESSIONAL REGULATION
of the State of Illinois

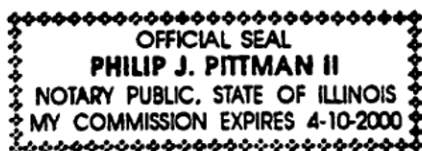
BY: [REDACTED]
Clerk for the Department

All inquiries should
be directed to the
Prosecutions Unit
312/814-4477

STATE OF ILLINOIS)
)
COUNTY OF SANGAMON)

SS:

The undersigned, being duly sworn on oath, if a non-attorney, or certified, if an attorney, states that on the date hereinafter set out, I caused copies of the foregoing NOTICE AND ORDER, to be placed in the United States mail at 320 West Washington St., Springfield, Illinois 62786, to all parties at the addresses listed above:




AFFIANT

December 9, 1996
DATE

(If not an attorney) Signed
and sworn to before me this

9th day of December, 1996


NOTARY PUBLIC

STATE OF ILLINOIS
DEPARTMENT OF PROFESSIONAL REGULATION

DEPARTMENT OF PROFESSIONAL REGULATION)
of the State of Illinois, Complainant)

v.)

No. 93-4393)

VINOD KUMAR GOYAL

Respondent)

NOTICE

TO: DENNIS TOBIN, ESQUIRE

PLEASE TAKE NOTICE that the Director of the Department of Professional Regulation did sign the attached Order.

YOU ARE FURTHER NOTIFIED that you have a right to judicial review of all final administrative decisions of this Department, pursuant to the provisions of the "ADMINISTRATIVE REVIEW ACT," approved May 8, 1945, and all amendments and modifications thereof, and the rules adopted pursuant thereto.

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DEPARTMENT OF PROFESSIONAL REGULATION
of the State of Illinois

BY: _____

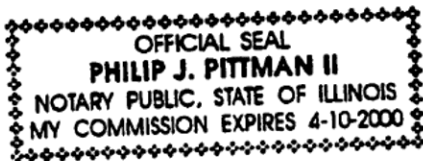
Clerk for the Department

All inquiries should
be directed to the
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STATE OF ILLINOIS)
)
COUNTY OF SANGAMON)

SS:

The undersigned, being duly sworn on oath, if a non-attorney, or certified, if an attorney, states that on the date hereinafter set out, I caused copies of the foregoing NOTICE AND ORDER, to be placed in the United States mail at 320 West Washington St., Springfield, Illinois 62786, to all parties at the addresses listed above:



[Redacted Signature]
AFFIANT

December 9, 1996
DATE

(If not an attorney) Signed
and sworn to before me this

9th day of December, 1996

[Redacted Signature]
NOTARY PUBLIC