

**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. 2013-09358
Josephine Kamper, M.D.,)		
License No. 036.057416,)	Respondent.	

CONSENT ORDER

The Department of Financial and Professional Regulation of the State of Illinois, Division of Professional Regulation ("Department"), by and through Laura E. Forester, Chief of Medical Prosecutions, and Josephine Kamper, M.D. ("Respondent"), by and through her attorney, Andrew J. Albright, hereby agree to the following:

STIPULATIONS

Respondent holds a Certificate of Registration as a Physician and Surgeon in the State of Illinois, License No. 036.057416, issued by the Department. Said license is currently in ACTIVE status. At all times material to the matter set forth in this Consent Order ("Order"), the Department had jurisdiction over the subject matter and parties herein.

The Department received information alleging Respondent aided and abetted unlicensed practice of medicine. Specifically, that information alleged that Respondent supervised unlicensed counseling facilitators who provided counseling sessions at a nursing home in the state of Illinois. The allegation(s) as set forth herein, if proven to be true, would constitute grounds for the Department to revoke, suspend, or otherwise discipline Respondent's license to practice as a Physician and Surgeon in the State of Illinois, pursuant to the Illinois Medical Practice Act ("Act"), 225 ILCS 60/22(A)(32).

On August 17, 2016, an informal conference was held at the Department's Chicago Office. Joseph Szokol, M.D., and Karen O'Mara, D.O., were present on behalf of the Medical

Board ("Board"). Chief of Medical Prosecutions, Laura E. Forester, and Staff Attorney, Vladimir Lozovskiy, represented the Department. Respondent appeared in person with her attorney, Andrew J. Albright. Respondent provided detailed information regarding her education and clinical background. Respondent provided information regarding her history providing group counseling services and her training, education and experience to do so. Respondent explained how she conducted the activities of group counseling sessions. She provided information indicating that she did not bill Medicaid for group psychotherapy services in many years and did not split fees with her medical biller.

Respondent and the Department have agreed, in order to resolve this matter, that Respondent be permitted to enter into an agreed 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.

Respondent has been advised of the right to a formal hearing to contest the pending allegations and the right to administrative review of any order resulting from said hearing. Respondent knowingly waives each of these rights, as well as the right to administrative review of this Order. Such waiver ceases if this Order is rejected by either the Board or the Director of the Division of Professional Regulation of the Department ("Director").

Respondent denies the pending allegations and that she violated the Act, but for purposes of this Consent Order only, acknowledges that should this matter proceed to a contested hearing the Board may find a violation of the Act. In the event that this Order is not approved by the Board of Director, this acknowledgement shall not be admissible in any proceeding and the matter will be set for formal hearing on the merits as if this Order had not been submitted. In addition, this Order may not be utilized in any other proceeding, except one to enforce this Agreement.

Following approval by the Director, Respondent consents and agrees to accept electronic service of this fully executed Order via email, in lieu of certified or registered mail. Service shall be made upon Respondent's Counsel's email address.

CONDITIONS

WHEREFORE, the Department, through Laura E. Forester, Chief of Medical Prosecutions, and Josephine Kamper, M.D., Respondent, by and through her attorney, Andrew J. Albright, hereby agree to the following:

- A. Respondent shall be fined ten thousand dollars (\$10,000.00) payable within 60 days of the effective date of this Order;
- B. From the effective date of this Order and thereafter, Respondent shall not allow unlicensed facilitators to assist her in the provision of group counseling services;
- C. All fine payments shall be sent to:

Illinois Dept. of Financial and Professional Regulation
Attn: Fines
PO Box 7086
Springfield, Illinois 62791
- D. In the event that Respondent fails to pay the fine and the Department is forced to initiate a collection effort to retrieve the fine, Respondent will be responsible for all costs and fees incurred by the collection process;
- E. In the event that Respondent fails to pay the aforesaid fine within sixty days (60) of the effective date of this Order or Respondent allows unlicensed facilitators to assist her in the provision of group counseling sessions on the effective date of this Order or thereafter, Respondent acknowledges and agrees that her failure(s) will permit the Director to issue an Order forthwith mandating the automatic, indefinite and immediate suspension of Respondent's Illinois Physician and Surgeon License, No. 036.057416, for a minimum period of twelve (12) months. This suspension shall not

preclude the Department from taking any other disciplinary or other action it deems appropriate. In the event that Respondent 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 Respondent shall be afforded a hearing on the merits within thirty (30) days from the filing of said Petition;

- F. This disposition is considered a discipline for reporting purposes to entities such as the National Practitioner Data Bank;
- G. This Consent Order shall become effective upon signing and approval by the Director.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL
REGULATION
of the State of Illinois

10/21/16
DATE

[REDACTED]
Laura E. Forester
Chief of Medical Prosecutions

10/18/16
DATE

[REDACTED]
Josephine Kamper, M.D.
Respondent

10/24/16
DATE

[REDACTED]
Andrew J. Albright
Counsel for Respondent

11-2-16
DATE

[REDACTED]
Member
Medical Disciplinary Board

The foregoing Consent Order is approved in full.

DATED THIS 1 day of November, 2016.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL
REGULATION
of the State of Illinois;
Bryan A. Schneider, Secretary

DIVISION OF PROFESSIONAL REGULATION



Jessica Baer, Acting Director

REF: Case No. 2013-09358
Lic. No. 036.057416