

STATE OF ILLINOIS

DEPARTMENT OF PROFESSIONAL REGULATION

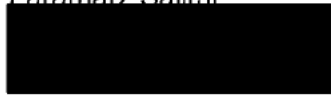
DEPARTMENT OF PROFESSIONAL REGULATION  
of the State of Illinois, Complainant

v.  
FARAMARZ SALIMI Respondent  
License No. 36-045577,

RECEIVED  
MAR 5 2001  
COPIES - 5 AM 8:10  
ADJ. CLERK'S OFFICE  
No. 2000-00622

NOTICE OF PRELIMINARY HEARING

TO: Faramarz Salimi



PLEASE TAKE NOTICE that on March 5, 2001, at 10:30a.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 within twenty (20) days after service of the Complaint upon you.

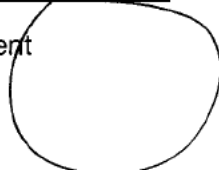
RULES OF PRACTICE IN ADMINISTRATIVE HEARINGS IN THE DEPARTMENT OF PROFESSIONAL REGULATION AND BEFORE COMMITTEES OR BOARDS OF SAID DEPARTMENT, AS WELL AS PRACTICE ACTS AND RULES MAY BE REQUESTED BY CALLING THE FORMS UNIT AT 312/814-1695.

DEPARTMENT OF PROFESSIONAL REGULATION of the State of Illinois

BY:

Jaroslav Kosacz  
Attorney for the Department

Jaroslav Kosacz  
Attorney for the Department  
of Professional Regulation  
of the State of Illinois  
100 West Randolph Street, Suite 9-300  
Chicago, Illinois 60601  
312/814-7293  
JK:lm




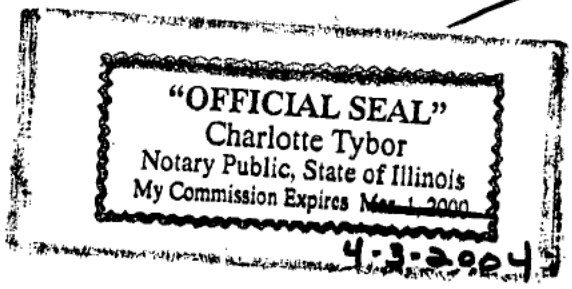
STATE OF ILLINOIS     )  
                                  )  
COUNTY OF COOK     )     ss:

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  
5 day of Dec 2000

  
\_\_\_\_\_  
NOTARY PUBLIC



STATE OF ILLINOIS

DEPARTMENT OF PROFESSIONAL REGULATION

DEPARTMENT OF PROFESSIONAL REGULATION	)	
of the State of Illinois,	)	
Complainant	)	
v.	)	No. 2000-00622
FARAMARZ SALIMI	)	
License No. 36-045577,	)	
Respondent	)	

COMPLAINT

Now comes the DEPARTMENT OF PROFESSIONAL REGULATION of the State of Illinois, by its Chief of Medical Prosecutions, John M. Goldberg, and as its COMPLAINT against Faramarz Salimi, Respondent, complains as follows:

COUNT I

1. Faramarz Salimi is presently the holder of a Certificate of Registration as a Physician and Surgeon in the State of Illinois, License No. 36-045577, issued by the Department of Professional Regulation of the State of Illinois. Said license is presently in Active status.
2. That at all times mentioned herein the Respondent practiced medicine as an Obstetrician and Gynecologist in the Concord Medical Center in Chicago, Illinois.
3. That on or about December 6, 1999, a Mandatory Report, No. 00-034, was filed with the Department pertaining to a suit alleging Respondent's performance of inadvertent tubal ligation on the patient L.B., who was scheduled for elective termination of early pregnancy.
4. That the patient L.B., presented at the Concord Medical Center on or about July 10, 1998, for an elective termination of early pregnancy.
5. That Respondent was the physician surgeon scheduled to perform said procedure on the patient L.B. on July 10, 1998.

6. That Respondent performed a tubal ligation on the patient L.B., a procedure not requested or authorized by the patient L.B., rather than the elective termination of early pregnancy.
7. That Respondent's failure to ascertain or confirm the identity of the patient and failure to verify the nature of the procedure to be performed for the patient resulted in an unnecessary and unauthorized surgical procedure performed on the patient.
8. That the foregoing acts and/or omissions of Respondent constitute recklessness or carelessness toward or a disregard for the safety and well-being of the patient resulting in injury.
9. That Respondent's performance of unauthorized procedure and the wrong procedure for which patient was admitted constitutes gross negligence in the practice of medicine.
10. The foregoing acts and/or omissions are grounds for revocation or suspension of a Certificate of Registration pursuant to 225 Illinois Compiled Statutes (1996), Section 60/22(A), paragraph(s) (4).

WHEREFORE, based on the foregoing allegations, the DEPARTMENT OF PROFESSIONAL REGULATION of the State of Illinois, by John M. Goldberg, its Chief of Medical Prosecutions, prays that the Physician and Surgeon license of Faramarz Salimi be suspended, revoked, or otherwise disciplined.

**COUNT II**

- 1-2. The Department realleges paragraphs 1 and 2 of Count I as paragraphs 1 and 2 of Count II.

3. That on or about May 17, 1999, a Mandatory Report, No. 99-239, was filed with the Department pertaining to a suit alleging Respondent's performance of a D & C on the patient L.M., who was scheduled for a tubal ligation.
4. That patient L.M. presented at the Concord Medical Center on or about July 10, 1998, for a tubal ligation.
5. That Respondent was the physician surgeon scheduled to perform said procedure on the patient L.M. on July 10, 1998.
6. That Respondent performed a D & C on the patient L.M. rather than the tubal ligation.
7. That Respondent performed the improper procedure upon the patient L.M. and that said procedure was not authorized by nor requested by the patient.
8. The Department realleges paragraphs 7 through 9 of Count I as paragraphs 8 through 10 of Count II.
11. That the Respondent performed an abortion procedure in a willful and wanton manner on a patient who was not pregnant at the time the abortion was performed.
12. That the foregoing acts and/or omissions of the Respondent are grounds for the Revocation or Suspension of a Certificate of Registration pursuant to 225 Illinois Compiled Statutes, Section 60/22(A), paragraph(s) (2) and (4).

WHEREFORE, based on the foregoing allegations, the DEPARTMENT OF PROFESSIONAL REGULATION of the State of Illinois, by John M. Goldberg, its Chief of Medical Prosecutions, prays that the Physician and Surgeon license of Faramarz Salimi be suspended, revoked, or otherwise disciplined.

DEPARTMENT OF PROFESSIONAL REGULATION of  
the State of Illinois

BY: 

JOHN M. GOLDBERG  
CHIEF OF MEDICAL PROSECUTIONS

Jaroslaw Kosacz  
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:JK:Imt

STATE OF ILLINOIS

DEPARTMENT OF PROFESSIONAL REGULATION

DEPARTMENT OF PROFESSIONAL REGULATION )		
of the State of Illinois, )	Complainant	
v. )		No. 2000-00622-1
FARAMARZ SALIMI )		
License No. 36-045577, )	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, LEONARD A. SHERMAN, 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. 36-045577, heretofore issued to FARAMARZ SALIMI to practice as a Physician and a Surgeon in the State of Illinois is Hereby Reprimanded in accordance with the Stipulation and Recommendation for Settlement which is attached hereto and incorporated herein.

DATED THIS 28<sup>th</sup> DAY OF June, 2001

DEPARTMENT OF PROFESSIONAL REGULATION of the State of Illinois



LEONARD A. SHERMAN  
DIRECTOR

LAS:JK;jh

REF: License No. 36-045577  
Case No. 2000-00622-1

STATE OF ILLINOIS  
DEPARTMENT OF PROFESSIONAL REGULATION

DEPARTMENT OF PROFESSIONAL REGULATION )  
of the State of Illinois, Complainant )  
 )  
v. ) NO. 2000-006221  
 )  
FARAMARZ SALIMI Respondent )

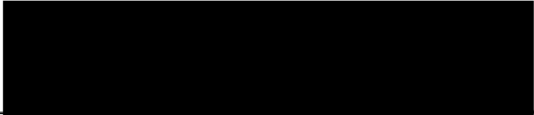
NOTICE

TO: FARAMARZ SALIMI  


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

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



AFFIANT

June 28, 2001  
DATE

(If not an attorney) Signed  
and sworn to before me this  
28th day of June, 2001.



NOTARY PUBLIC

OFFICIAL SEAL  
GAIL A BOST  
NOTARY PUBLIC STATE OF ILLINOIS  
MY COMMISSION EXP. JUNE 29, 2004

STATE OF ILLINOIS  
DEPARTMENT OF PROFESSIONAL REGULATION

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

v. )

NO. 2000-006221 )

FARAMARZ SALIMI

Respondent )

NOTICE

TO: PATRICIA J. FOLTZ, ESQUIRE  
55 E. MONROE, STE. 3650  
CHICAGO, IL 60603

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

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: \_\_\_\_\_

Clerk for the Department

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

STATE OF ILLINOIS )  
 )  
COUNTY OF SANGAMON ) ss:

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AFFIANT

June 28, 2001  
DATE

(If not an attorney) Signed and sworn to before me this 24<sup>th</sup> day of June, 2001.



NOTARY PUBLIC

OFFICIAL SEAL  
GAIL A BOST  
NOTARY PUBLIC STATE OF ILLINOIS  
MY COMMISSION EXP. JUNE 29, 2004

STATE OF ILLINOIS

DEPARTMENT OF PROFESSIONAL REGULATION

DEPARTMENT OF PROFESSIONAL REGULATION )  
of the State of Illinois, Complainant )  
v. ) No. 2000-00622-1  
FARAMARZ SALIMI )  
License No. 36-045577, Respondent )

**STIPULATION AND RECOMMENDATION FOR SETTLEMENT**

The Department by Jaroslaw Kosacz, its attorney, and Faramarz Salimi, M.D., Respondent, and Patricia J. Foltz, of the law firm of Anderson, Bennett and Partners, one of Respondent's attorneys, 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 December 5, 2000, the Department filed a two count Complaint against Respondent, alleging gross negligence in performing a tubal ligation on a patient scheduled for an elective termination of an early pregnancy and an elective termination of an early pregnancy procedure on a patient scheduled for a tubal ligation. The Department alleged that these acts provided grounds for discipline under the Illinois Medical Practice Act.
2. That on March 21, 2001, the Respondent appeared to defend himself against these allegations at an Informal Conference held by the Department at the offices of the Department, 100 West Randolph Street, Suite 9-300, Chicago, Illinois, 60601 Respondent appeared in person with his attorney, Patricia J. Foltz, and admitting the material factual allegations made against him in the Complaint. Respondent alleged that the patient scheduled for the elective termination of an early pregnancy had the same first name as the patient scheduled for a tubal ligation and the wrong patient records were transmitted to Respondent prior to the surgical procedure. Patients were identified on a first name basis to protect the anonymity of the individual. In the instant case

both patients had the same first name and unfortunately the records transmitted with each patient were mishandled before reaching the Respondent. Even though Respondent has no ownership interest in the Medical Center, he has been instrumental in incorporating new procedures to safeguard against any future re-occurrences of this nature. Dr. Georgia D. Lubben appeared as the member of the Medical Disciplinary Board of the State of Illinois and Jaroslaw Kosacz appeared as the attorney for the Department.

3. Respondent has been advised that he has the right to be represented by counsel and has retained the law firm of Anderson, Bennett and Partners to represent him. Respondent has fully discussed the allegations contained 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.
4. Respondent is fully aware that his Recommendation must be approved by the Medical Disciplinary Board. By submitting this Recommendation for approval, Respondent expressly waives any objection based upon prejudice should the Medical Disciplinary Board refuse to accept this Recommendation.
5. The Department represents that, if a hearing were held in this matter, it is prepared to present testimony and other evidence consistent with the allegations contained in the Complaint. Respondent reserves the right to object to this testimony and other evidence if this matter proceeds to a contested hearing.
6. For purposes of settlement only, Respondent acknowledges that should this matter proceed to a contested hearing the Medical Disciplinary Board could find a violation of the Medical Practice Act.
7. The Department and Respondent stipulate that the above acknowledgement is made only for the purposes of this Recommendation. In the event that this Recommendation is not approved by the Medical Disciplinary Board, 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 Recommendation had not been submitted. In addition, upon approval of this Recommendation, this acknowledgment may not be utilized in any other proceeding, except one to enforce this agreement.

8. Respondent has been advised that he has the right to file for a rehearing of the matter within twenty (20) days of the decision by the Medical Disciplinary Board in this case. Respondent hereby waives such a right to a rehearing if this Recommendation is approved.
9. 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**

10. 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.
11. 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 that he shall receive a Reprimand by operation of the Director's Order.

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

5/16/2001  
DATE

[Redacted]  
Faramarz Salimi, M.D.  
Respondent

5/21/01  
DATE







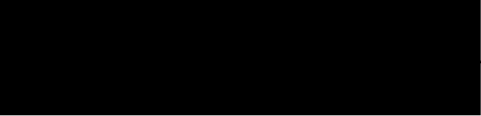
[Redacted]  
Patricia J. Foltz  
Respondent's Attorney

5/24/01  
DATE

[Redacted]  
Jaroslaw Kosacz  
Attorney for the Department

The foregoing Stipulation and Recommendation for Settlement is approved by the Medical Disciplinary Board as its decision this 6<sup>th</sup> day of June, 2001.

The Medical Disciplinary Board recommends that the Director approve the Recommendation set forth herein by issuing an appropriate Order.

<u>6/6/01</u> DATE	 Chairman of the Medical Disciplinary Board
<u>6/6/01</u> DATE	 <u>DO</u> Member
<u>6/6/01</u> DATE	 <u>MD</u> Member
<u>6/6/01</u> DATE	 <u>MD</u> Member
<u>6-6-01</u> DATE	 <u>M.D.</u> Member
<u>6/6/01</u> DATE	 Member
<u>6/6/01</u> DATE	 <u>MD</u>



STATE OF ILLINOIS

DEPARTMENT OF PROFESSIONAL REGULATION

DEPARTMENT OF PROFESSIONAL REGULATION	)	
of the State of Illinois,	)	
	)	Complainant
v.	)	
FARAMARZ SALIMI	)	No. 2000-00622-1
License No. 36-045577,	)	
	)	Respondent

**STIPULATION AND RECOMMENDATION FOR SETTLEMENT**

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11. 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 that he shall receive a Reprimand by operation of the Director's Order.

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

5/16/2001  
DATE

[Redacted] *MS*  
Faramarz Salimi, M.D.  
Respondent

5/21/01  
DATE

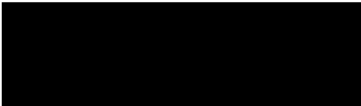

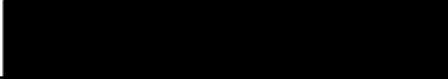




[Redacted]  
Patricia J. Foltz  
Respondent's Attorney

5/24/01  
DATE

[Redacted]  
Jaroslaw Kosacz  
Attorney for the Department

The foregoing Stipulation and Recommendation for Settlement is approved by the Medical Disciplinary Board as its decision this 6<sup>th</sup> day of June, 2001.

The Medical Disciplinary Board recommends that the Director approve the Recommendation set forth herein by issuing an appropriate Order.

<u>6/6/01</u> DATE	 Chairman of the Medical Disciplinary Board
<u>6/6/01</u> DATE	 <u>DO</u> Member
<u>6/6/01</u> DATE	 <u>MD</u> Member
<u>6/6/01</u> DATE	 <u>MD</u> Member
<u>6-6-01</u> DATE	 <u>MD</u> Member
<u>6/6/01</u> DATE	 Member
<u>6/6/01</u> DATE	 Member