



IDFPR

Illinois Department of Financial and Professional Regulation

Division of Professional Regulation

www.idfpr.illinois.gov

JB PRITZKER
Governor

MARIO TRETO, JR.
Secretary

CECILIA ABUNDIS
Director

April 20, 2023

Sent via Electronic Mail:

wiredwaves@protonmail.com

RE: Freedom of Information Act Request

Dear Pat Brown:

The Department of Financial and Professional Regulation (Department) received your Freedom of Information Act (FOIA) [5 ILCS 140/1 et seq.] request on April 13, 2023, requesting:

Pursuant to the Illinois public records law and FOIA would you kindly send all documents in the file pertaining to physician

SESHAGIRI VAVILIKOLANU and **ALL DISCIPLINE** with Licenses:

036070313

125016426

and drug licenses:

and their drug aka Controlled Substance license application too.

This would include:

- lawsuits
- all complaints and disciplinary actions
- all applications and reapplications
- all hospital admitting privileges
- all limited licenses and temporary licenses
- all criminal documents
- all license (aka written agreement) with a licensed laboratory
- all hospital privileges in an Illinois based hospital
- all supervisory agreements/documents related to his supervising nurses

This letter is the Department's response to your request.

-lawsuits.

This request is denied. After a reasonable search the Department was unable to locate responsive documents.

-all complaints and disciplinary actions.

Disciplinary documents are attached as PDFs.

As to complaints, your request is denied; complaints and investigations are exempt from disclosure pursuant to Sections 7(1)(a) of FOIA, Section 2105-117 of the Civil Administrative

Code, and Sections 1326.220(b)(1) and (3) of the Illinois Administrative Code [5 ILCS 140/7(1)(a); 20 ILCS 2105/2105-117; 2 Ill. Admin. Code 136.220(b)(1) & (3)].

Section 7(1) of FOIA states in pertinent part as follows:

Sec. 7. Exemptions.

(1) When a request is made to inspect or copy a public record that contains information that is exempt from disclosure under this Section, but also contains information that is not exempt from disclosure, the public body may elect to redact the information that is exempt. The public body shall make the remaining information available for inspection and copying. Subject to this requirement, the following shall be exempt from inspection and copying:

(a) Information specifically prohibited from disclosure by federal or State law or rules and regulations implementing federal or State law.

Section 2105-117 of the Civil Administrative Code states:

Sec. 2105-117. Confidentiality.

All information collected by the Department in the course of an examination or investigation of a licensee, registrant, or applicant, including, but not limited to, any complaint against a licensee or registrant filed with the Department and information collected to investigate any such complaint, shall be maintained for the confidential use of the Department and shall not be disclosed. The Department may not disclose the information to anyone other than law enforcement officials, other regulatory agencies that have an appropriate regulatory interest as determined by the Director, or a party presenting a lawful subpoena to the Department. Information and documents disclosed to a federal, State, county, or local law enforcement agency shall not be disclosed by the agency for any purpose to any other agency or person...

Section 1326.220 of the Illinois Administrative Code states in pertinent part:

In response to a request submitted pursuant to FOIA, the Division will not disclose certain records as provided in this section. Records covered under this section include, but are not limited to;

b) Division of Professional Regulation and Division of Real Estate

1) Complaints received by the Department against licensees or unlicensed persons or entities, except as provided by statute

3) Investigative files maintained by the Division

--all applications and reapplications

PDFs of the requested documents are attached. Please be advised that your request is partially denied to the extent that the document contains personal and private information, including signatures, birth date, place of birth, citizenship status, social security number, personal phone number, private health information, and personal email and mailing addresses, which are exempt from disclosure pursuant to Sections 7(1)(a), (b) & (c) of the Freedom of Information Act and Section 1326.210(c) of the Illinois Administrative Code [5 ILCS 140/7(1)(a), (b) and (c); 2 Ill. Admn. Code 1326.210(c)].

Section 7(1) of FOIA states in pertinent part as follows:

Sec. 7. Exemptions.

(2) When a request is made to inspect or copy a public record that contains information that is exempt from disclosure under this Section, but also contains information that is not exempt from disclosure, the public body may elect to redact the information that is exempt. The public body shall make the remaining information available for inspection and copying. Subject to this requirement, the following shall be exempt from inspection and copying:

(a) Information specifically prohibited from disclosure by federal or State law or rules and regulations implementing federal or State law.

(b) Private information, unless disclosure is required by another provision of this Act, a State or federal law or a court order.

(c) Personal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information. "Unwarranted invasion of personal privacy" means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information. The disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy.

Section 1326.210 Records that Will Be Disclosed:

Upon a request meeting the requirements of this Part, the Department will disclose to the requester all nonexempt records requested, except for any portion that may be subject to redaction or nondisclosure. Records covered under this Section shall include, but are not limited to:

c) License and registration applications and renewals, except for applications and renewals submitted under the Compassionate Use of Medical Cannabis Pilot Program Act [410 ILCS 130/145], the Cannabis Regulation and Tax Act [410 ILCS 705/55-30] or as otherwise excluded by law. The following information contained in the application or renewal, or in attachments to the application or renewal, will be redacted and/or withheld: home address; home telephone number; cell phone number; personal email address; Social Security number or other tax identification number; date of birth; fingerprints; signature; and educational transcripts, diplomas, degrees and examination scores. (This is not intended to be an exhaustive list of information the Department may redact). (See Section 7(1)(b) and (c) of FOIA.)

- all hospital admitting privileges, - all limited licenses and temporary licenses, - all criminal documents, - all license (aka written agreement) with a licensed laboratory, - all hospital privileges in an Illinois based hospital, - all supervisory agreements/documents related to his supervising nurses

These requests are denied. After a reasonable search the Department was unable to locate any responsive documents.

This determination has been made by the Illinois Department of Financial and Professional Regulation, FOIA Officer Kathleen Anderson.

You have the right to have the denial of your request reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. You can file your Request for Review with the PAC by writing to:

Leah Bartelt
Public Access Counselor
Office of the Attorney General
500 S. 2nd Street
Springfield, Illinois 62706
(877) 299-3642
Email: public.access@ilag.gov

You also have the right to judicial review of your denial by filing a lawsuit in the State circuit court. 5 ILCS 140/11.

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of the date of this denial letter. 5 ILCS 140/9.5(a). Please note that you must include

a copy of your original FOIA request and this denial letter when filing a Request for Review with the PAC.

Please contact me should you have any concerns.

Sincerely,
Kathleen Anderson
FOIA Officer
IDFPR