

**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.	)	
STEVEN R. BEST, M.D.,	)	
License No. 036-086358,	)	Respondent.

No. 2013-08584

**CONSENT ORDER**

The Department of Financial and Professional Regulation, Division of Professional Regulation, of the State of Illinois, by Vladimir Lozovskiy, one of its attorneys, (hereinafter "Department") and Steven R. Best, M.D. (hereinafter "Respondent"), by Glenn L. Udell and Bryan King both of Brown, Udell, Pomerantz & Delrahim, Ltd. ("BUPD"), his attorneys, hereby agree to the following:

**STIPULATIONS**

Steven R. Best, M.D. is licensed as a Physician and Surgeon in the State of Illinois, holding License No. 036-086358. Said license is Active status. At all times material to the matter(s) set forth in this Consent Order, the Department of Financial and Professional Regulation, Division of Professional Regulation, of the State of Illinois had jurisdiction over the subject matter and parties herein.

Information has come to the attention of the Department alleging that Respondent violated patient's confidentiality by disclosing information in front of the family member. The allegation(s) as set forth herein, if proven to be true, could constitute grounds for suspending, revoking or other discipline of Respondent's Physician and Surgeon license on the authority 225 Illinois Compiled Statutes, 225 ILCS 60/22(A)(30).

As a result of these allegations, the Department held an Informal Conference on November 16, 2016. Dr. Joseph Szokol and Dr. Karen O'Mara appeared on behalf of the Medical Disciplinary Board and Laura E. Forester, Chief of Medical Prosecutions, and Vladimir Lozovskiy, Staff Attorney, appeared on behalf of the Department. Respondent appeared in person along with his attorney, Jennifer Hansen. During the Informal Conference, Respondent provided information regarding his past and present clinical practice and plans for the future. Moreover, Respondent provided information regarding his care and treatment of the patient-in-question. Subsequently, Respondent retained Glenn L. Udell and Bryan King of BUPD as his new attorneys and while this matter was set for July 25-27, 2017 Formal Hearing, the Department and Respondent engaged in negotiations for an amicable resolution of this pending matter.

For purposes of this Consent Order, Respondent neither admits nor denies the Department's allegations but, in an effort to avoid the expense and time associated with protracted litigation, Respondent acknowledges that should this matter proceed to a contested hearing, the Illinois Medical Disciplinary Board (the "Board") could find a violation of the Illinois Medical Practice Act. The Department and Respondent stipulate that the above acknowledgement is made only for the limited purposes of this Consent Order as to the finding of the alleged violation of the Illinois Medical Practice Act. In the event that this Consent Order is not approved by the Board or is not approved by the Director of the Division of Professional Regulation of the Illinois Department of Financial and Professional Regulation ("Director"), 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 Consent Order had not been submitted. In addition, upon approval of this Consent Order, neither this acknowledgement nor this Consent Order may be utilized in any other proceeding, except one to enforce this Agreement. Furthermore,

Respondent consents to electronic service of the approved Consent Order in lieu of service by certified mail. Service shall be made upon Respondent's attorney email address.

Respondent has been advised of the right to a hearing, the right to contest any charges brought, and the right to administrative review of this Consent Order. Respondent 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 Medical Disciplinary Board or the Director of the Division of Professional Regulation of the Illinois Department of Financial and Professional Regulation.

Respondent and the Department have agreed, in order to resolve this matter, that Respondent, Steven R. Best, M.D., be permitted to enter into a Consent 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.

#### CONDITIONS

WHEREFORE, the Department, through Vladimir Lozovski, its attorney, and Steven R. Best, M.D., Respondent, through Bryan King, his attorney, agree:


- A. Illinois Physician and Surgeon License of Steven R. Best, License No. 036-086358, is hereby Reprimanded;
- B. Respondent shall be fined in the amount of \$10,000.00 (ten thousand) dollars. Respondent shall pay the aforementioned Fine within twelve (12) months from the final approval of this Order. Respondent shall submit a check payable to the Illinois Department of Financial and Professional Regulation. Said check shall be mailed to Illinois Dept. of Financial and Professional Regulation, Attention: CMU/Accounts Receivable - Fine Payments, 320 W. Washington St., 3<sup>rd</sup> Floor, Springfield, Illinois 62786;

C. Respondent shall take and pass all 5 topic areas Ethics and Boundaries Post-Licensure ("EBAS") Essay Examination within twelve (12) months of the effective date of this Consent Order. Information regarding how to take and pass EBAS Essay Examination is available at [www.ebas.org](http://www.ebas.org).

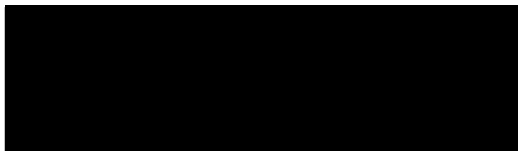
D. If Respondent fails to pay the aforementioned fine and/or fails to take and pass all 5 topic areas of EBAS Essay Examination within 12 months of the effective date of this Consent Order, the Director of the Division of Professional Regulation may issue an Order forthwith mandating the automatic, immediate, indefinite suspension of Respondent's Illinois Physician License 036-086358 for a minimum of twelve (12) months. This indefinite suspension shall not preclude the Department from taking any other disciplinary or other actions it deems appropriate. In the event Respondent contests in writing (by the filing of an appropriate petition with the Department) the factual basis underlying said indefinite suspension within thirty (30) days of the imposition thereof, then Respondent shall be afforded a hearing on the merits within thirty (30) days from filing of said petition;

E. This Consent Order shall become effective immediately after it is approved by the Director of the Division of Professional Regulation of the Illinois Department of Financial and Professional Regulation and all remaining issues in this matter shall be deemed dismissed with prejudice.

July 6, 2017  
DATE

  
\_\_\_\_\_  
Vladimir Lozovski, Attorney for the Department

6 July 2017  
DATE

  
\_\_\_\_\_  
Steven R. Best, M.D., Respondent

7/6/2017  
DATE

[Redacted]  
Bryan King, Attorney for Respondent

7/19/17  
DATE

[Redacted]  
Member, Medical Disciplinary Board

The foregoing Consent Order is approved in full.

DATED THIS 31 day of July, 2017.

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

[Redacted]  
\_\_\_\_\_  
Jessica Baer  
DIRECTOR

REF: Case No. 2013-8584/ License No. 036-086358

**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. )  
STEVEN RICHARD DIVORE BEST, M.D., )  
License No. 036.086358, Respondent. )

No. 2013-08584

ILL. DEPT. OF FINANCIAL AND  
PROFESSIONAL REGULATION  
17 JUN 27 PM 10:36  
CLERK OF THE COURT

**AMENDED COMPLAINT**

NOW COMES the DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION,  
DIVISION OF PROFESSIONAL REGULATION, of the State of Illinois, by its Chief of Medical  
Prosecutions, Laura E. Forester, and as its AMENDED COMPLAINT against STEVEN  
RICHARD DIVORE BEST, M.D., Respondent, complains as follows:

**COUNT I**

1. Respondent is presently the holder of a Certificate of Registration as a Licensed Physician and Surgeon in the State of Illinois, License No. 036.086358, issued by the Department of Financial and Professional Regulation of the State of Illinois. Said license is presently in ACTIVE status.
2. The Department has jurisdiction to investigate complaints and to bring this action pursuant to 20 ILCS 2105/2105-15(a)(5) and 225 ILCS 60/36.
3. At all times relevant to this Complaint, Respondent was a licensed Physician in the State of Illinois.
4. At all times relevant to this complaint, Respondent worked for "The Neuroscience Center" located at 440 Lake Cook Road, Building 2 in Deerfield, Illinois.
5. At all times relevant to this complaint, Respondent provided care to Patient C.B., a twenty-nine year old female.

6. Patient C.B. sought treatment from Respondent for depression, anxiety, and bi-polar disorder.
7. Respondent treated patient C.B. from June 2011 until May 2012.
8. Between June 2011 and May 2012, Respondent treated patient C.B. with experimental rTMS (Transcranial Magnetic Stimulation) paired with intravenous Ketamine for severe Depression.
9. Ketamine is a Schedule III Controlled Substance
10. Ketamine is a rapid-acting general anesthetic with:
  - a. Producing effect of dissociative anesthesia; and
  - b. Produces an anesthetic effect lasting up to two and one half hours after administration.
11. On or about May 13, 2014, Respondent was interviewed by Department Investigator Randall Thomas.
12. In the aforementioned interview, Respondent stated the following:
  - a. Patient C.B.'s brother was present during Patient C.B.'s treatment.
  - b. After treatment patients would not be in a state to socialize.
13. Respondent advised patient C.B. to not inform the anesthesiology team of the food eaten prior to rTMS and IV Ketamine treatment.
14. Respondent advised patient C.B. to not inform the anesthesiology team of the medications taken prior to rTMS and IV Ketamine treatment.
15. Respondent advised patient C.B. to keep the morning use of her prescription of Valium on the sly from the anesthesiology team prior to rTMS and IV Ketamine treatment.

16. The foregoing acts and/or omissions are grounds for revocation or suspension of a Certificate of Registration pursuant to 225 Illinois Compiled Statutes, Section 60/22(A)(5), relying on the Rules for the Administration of the Medical Practice Act, Illinois Administrative Code Title 68, Section 1285.240(a), 20 ILCS 2105/2105-130, and 20 ILCS 2105/2105-135.

WHEREFORE, based on the foregoing allegations, the DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, DIVISION OF PROFESSIONAL REGULATION, of the State of Illinois, by Laura Forester, its Chief of Medical Prosecutions, prays that the Physician and Surgeon License of STEVEN RICHARD DIVORE BEST, M.D. be suspended, revoked, or otherwise disciplined.

#### COUNT II

1-6. The Department realleges paragraphs one (1) through six (6) of Count I as paragraphs one (1) through six (6) of Count II of this Complaint.

7. Respondent discussed other patients' medical condition with patient C.B. via email.

8. Respondent treated patients in an open environment with up to 5 other patients in the same room.

9. Respondent allowed patient C.B.'s brother to attend treatment of C.B. in the room with other patients present.

10. Respondent informed Patient C.B. that another patient's husband being allowed in the room during treatment via email.

11. Respondent hugged a patient after Ketamine treatment.

12. Respondent discussed hugging the aforementioned patient with Patient C.B. via email.



13. The foregoing acts and/or omissions are grounds for revocation or suspension of a Certificate of Registration pursuant to 225 Illinois Compiled Statutes, Section 60/22(A)(30) and (5), relying on the Rules for the Administration of the Medical Practice Act, Illinois Administrative Code Title 68, Section 1285.240(a), 20 ILCS 2105/2105-130, and 20 ILCS 2105/2105-135.

WHEREFORE, based on the foregoing allegations, the DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, DIVISION OF PROFESSIONAL REGULATION, of the State of Illinois, by Laura Forester, its Chief of Medical Prosecutions, prays that the Physician and Surgeon License of STEVEN RICHARD DIVORE BEST, M.D. be suspended, revoked, or otherwise disciplined.

### COUNT III

1-3. The Department realleges paragraphs one (1) through three (3) of Count I as paragraphs one (1) through three (3) of Count III of this Complaint.

4. On or about February 2015, the Department filed a Formal Complaint against Respondent alleging various violations of Illinois Medical Practice Act arising out of Respondent's care and treatment of patient C.B.

5. On or about March 2015, Respondent filed an Answer to the Department's pending Formal Complaint.

6. On or about February 2017, Respondent's case was set for the Formal Hearing on July 25-27, 2017.

7. At all times relevant to this Complaint, Respondent was a holder of Illinois Controlled Substance License and DEA Registration.

8. At all times relevant to this Complaint, Respondent was required to have a valid Illinois Controlled Substance License and DEA Registration in order to authorize and/or prescribe Schedule II to V Controlled Substances to patients of his medical practice.

9. On or about June 9, 2017, Respondent submitted a renewal application for DEA Registration where he was required to certify that the foregoing information furnished on his renewal application for DEA Registration to be true and correct.

10. On or about June 9, 2017, Respondent failed to disclose on his 2017 DEA renewal application the aforementioned pending Department action in his response to the following question:

**“Has the applicant ever surrendered for cause or had a state professional license or controlled substance registration revoked, suspended, denied, restricted, or placed on probation, or is any such action pending?”**

11. The foregoing acts and/or omissions are grounds for revocation or suspension of a Certificate of Registration pursuant to 225 Illinois Compiled Statutes, Section 60/22 (A), paragraph (31) relying upon 20 ILCS 2105/2105-130.

WHEREFORE, based on the foregoing allegations, the DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, DIVISION OF PROFESSIONAL REGULATION, of the State of Illinois, by Laura Forester, its Chief of Medical Prosecutions, prays that the Physician and Surgeon License of STEVEN RICHARD DIVORE BEST, M.D. be suspended, revoked, or otherwise disciplined.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL  
REGULATION, DIVISION OF PROFESSIONAL  
REGULATION, of the State of Illinois

By: 

LAURA FORESTER  
Chief of Medical Prosecutions

Vladimir Lozovskiy  
Staff Attorney, Medical Prosecutions Unit  
Department of Financial and Professional Regulation  
Division of Professional Regulation  
100 West Randolph, 9-300  
Chicago, Illinois 60601  
312/814-1691

**PROOF OF SERVICE**

TO: Steven R.D. Best, M.D.  
Care of Bryan King, Esq.  
Via email: BKing@bupdlaw.com

The undersigned hereby certifies under penalties of perjury as provided by law pursuant to 735 ILCS 5/1-109, that I tendered DEPARTMENT'S AMENDED COMPLAINT to Respondent's attorney on June 27, 2017

  
Affiant

**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. ) 2013-08584  
STEVEN RICHARD DIVORE BEST, M.D., )  
License No. 036.119559, Respondent )

ILL. DEPT. OF FINANCIAL AND  
PROFESSIONAL REGULATION  
15 FEB 30 AM 11:13  
CLERK OF THE COURT

**NOTICE OF PRELIMINARY HEARING**

To: Steven Richard Divore Best, M.D.  
The Neuroscience Center LLC  
440 Lake Cook Road Building 2  
Deerfield IL, 60015-5263

PLEASE TAKE NOTICE that on Monday, April 6<sup>th</sup>, 2015, at 1:00 p.m., you are directed to appear before the Administrative Law Judge for the Illinois State Medical Disciplinary Board of the Division of Professional Regulation of the Department of Financial and Professional Regulation of the State of Illinois (Department) located at the James R. Thompson Center, 100 West Randolph Street, 9<sup>th</sup> Floor, Suite 9-100, Chicago, Illinois 60601, at which time a hearing date will be set. You are requested to 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 an Illinois attorney.

It is required that you file an ANSWER UNDER OATH AND PENALTY OF PERJURY to the attached Complaint with the Division of Professional Regulation of the Department of Financial and Professional Regulation within twenty (20) days of the date this Notice was mailed. The Answer should address each numbered paragraph of the Complaint. The Answer shall be signed under oath and your signature must be verified by a notary public who affixes the notary seal to the document. For each paragraph, the Answer should either:

- a) admit the allegation in the paragraph,
- b) deny the allegation in the paragraph, or
- c) state under oath that you have insufficient information with which to admit or deny the allegation in the paragraph.

PLEASE BE ADVISED that the failure to file a verified Answer may subject you to being held in default. If you are held in default, the Board will assume the allegations to be true and will issue a recommendation based upon those facts without a hearing being held. These proceedings are held pursuant to the jurisdiction granted to the Department to investigate complaints and to bring this action pursuant to 20 Ill. Comp. Stat. § 2105-15(a)(5) and 225 Ill. Comp. Stat. § 60/36 (2009, as amended).

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.

PLEASE BE ADVISED THAT YOU WILL HAVE TO SHOW A STATE ISSUED PHOTO IDENTIFICATION AND GO THROUGH A METAL DETECTOR IN ORDER TO GAIN ACCESS TO THE BUILDING.

**DEPARTMENT OF FINANCIAL AND  
PROFESSIONAL REGULATION of the State of Illinois**

BY: 

Laura E. Forester  
Chief of Medical Prosecutions

Steven Stockdale  
Law Clerk, Medical Prosecutions Unit  
Illinois Department of Financial and Professional Regulation  
Division of Professional Regulation  
100 W. Randolph St., 9<sup>th</sup> floor  
Chicago, Illinois 60601

**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.	)	
STEVEN RICHARD DIVORE BEST, M.D.,	)	No. 2013-08584
License No. 036.086358,	)	Respondent.

ILL. DEPT. OF FINANCIAL AND  
PROFESSIONAL REGULATION  
15 FEB 30 AM 11:13  
CLERK OF THE COURT

**COMPLAINT**

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**COUNT I**

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12. In the aforementioned interview, Respondent stated the following:
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15. Respondent advised patient C.B. to keep the morning use of her prescription of Valium on the sly from the anesthesiology team prior to rTMS and IV Ketamine treatment.

16. The foregoing acts and/or omissions are grounds for revocation or suspension of a Certificate of Registration pursuant to 225 Illinois Compiled Statutes, Section 60/22(A)(5), relying on the Rules for the Administration of the Medical Practice Act, Illinois Administrative Code Title 68, Section 1285.240(a), 20 ILCS 2105/2105-130, and 20 ILCS 2105/2105-135.

WHEREFORE, based on the foregoing allegations, the DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, DIVISION OF PROFESSIONAL REGULATION, of the State of Illinois, by Laura Forester, its Chief of Medical Prosecutions, prays that the Physician and Surgeon License of STEVEN RICHARD DIVORE BEST, M.D. be suspended, revoked, or otherwise disciplined.

#### COUNT II

1-12. The Department realleges paragraphs one (1) through twelve (12) of Count I as paragraphs one (1) through twelve (12) of Count II of this Complaint.

14. Respondent discussed other patients' medical condition with patient C.B. via email.

15. Respondent treated patients in an open environment with up to 5 other patients in the same room.

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17. Respondent informed Patient C.B. that another patient's husband being allowed in the room during treatment via email.

18. Respondent hugged a patient after Ketamine treatment.

19. Respondent discussed hugging the aforementioned patient with Patient C.B. via email.



20. The foregoing acts and/or omissions are grounds for revocation or suspension of a Certificate of Registration pursuant to 225 Illinois Compiled Statutes, Section 60/22(A)(20), (30), (5), relying on the Rules for the Administration of the Medical Practice Act, Illinois Administrative Code Title 68, Section 1285.240(a), 20 ILCS 2105/2105-130, and 20 ILCS 2105/2105-135.

WHEREFORE, based on the foregoing allegations, the DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, DIVISION OF PROFESSIONAL REGULATION, of the State of Illinois, by Laura Forester, its Chief of Medical Prosecutions, prays that the Physician and Surgeon License of STEVEN RICHARD DIVORE BEST, M.D. be suspended, revoked, or otherwise disciplined.

**DEPARTMENT OF FINANCIAL AND PROFESSIONAL  
REGULATION, DIVISION OF PROFESSIONAL  
REGULATION, of the State of Illinois**

By: 

---

LAURA FORESTER  
Chief of Medical Prosecutions

Steven Stockdale  
Law Clerk, Medical Prosecutions  
Department of Financial and Professional Regulation  
Division of Professional Regulation  
100 West Randolph, Suite 9-300  
Chicago, Illinois 60601  
312-814-2226