

NEW YORK STATE DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER
OF
ROBERT A. WEISS, M.D.

COMMISSIONER'S
ORDER OF
SUMMARY
ACTION

TO: ROBERT A. WEISS, M.D.

The undersigned, Howard A. Zucker, M.D., J.D., Commissioner of Health, pursuant to N.Y. Public Health Law §230, upon the recommendation of a Committee on Professional Medical Conduct of the State Board for Professional Medical Conduct, has determined that the duly authorized professional disciplinary agency of another jurisdiction, the State of Illinois, has made a finding substantially equivalent to a finding that the practice of medicine by ROBERT A. WEISS, M.D. (the Respondent) in that jurisdiction constitutes an imminent danger to the health of its people, as is more fully set forth in the Order, Petition for Temporary Suspension, and Complaint, of the State of Illinois, Department of Financial and Professional Regulation, Division of Professional Regulation, dated May 6, 2014, attached hereto as Appendix "A" and made a part hereof.

It is therefore:

ORDERED, pursuant to N.Y. Public Health Law §230(12)(b), that effective immediately, Respondent shall not practice medicine in the State of New York, or practice in any setting under the authority of Respondent's New York license.

Any practice of medicine in violation of this Order shall constitute Professional Misconduct within the meaning of N.Y. Educ. Law §6530(29) and may constitute unauthorized medical practice, a Felony defined by N.Y. Educ. Law §6512.

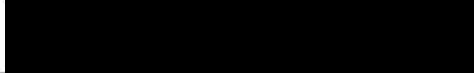
This Order shall remain in effect until the final conclusion of a hearing which shall commence within thirty days after the final conclusion of the disciplinary proceeding in the predicate action. The hearing will be held pursuant to the provisions of N.Y. Pub.

Health Law §230, and N.Y. State Admin. Proc. Act §§301-307 and 401. The hearing will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct on a date and at a location to be set forth in a written Notice of Hearing or Notice of Referral Proceeding to be provided to the Respondent after the final conclusion of the proceeding in the predicate action. Said written Notice may be provided in person, by mail, or by other means. If Respondent wishes to be provided said written notice at an address other than that set forth above, Respondent shall so notify, in writing, both the attorney whose name is set forth in this Order, and the Director of the Office of Professional Medical Conduct, at the addresses set forth below.

Respondent shall notify the Director of the Office of Professional Medical Conduct, New York State Department of Health, Riverview Center, 150 Broadway, Suite 355, Albany, New York 12204-2719 via Certified Mail, Return Receipt Requested, of the final conclusion of the proceeding in the predicate action, immediately upon such conclusion.

THE NEW YORK PROCEEDINGS MAY RESULT IN A DETERMINATION THAT YOUR LICENSE TO PRACTICE MEDICINE IN NEW YORK STATE BE REVOKED OR SUSPENDED, AND/OR THAT YOU BE FINED OR SUBJECT TO OTHER SANCTIONS SET FORTH IN NEW YORK PUBLIC HEALTH LAW §230-a. YOU ARE URGED TO OBTAIN AN ATTORNEY TO REPRESENT YOU IN THIS MATTER.

DATED: Albany, New York
16 December, 2015


Howard A. Zucker, M.D., J.D.
Commissioner of Health
New York State Department of Health

Inquiries should be directed to:

Marc Nash
Senior Attorney
Bureau of Professional Medical Conduct
Corning Tower – Room 2512
Empire State Plaza
Albany, New York 12237
(518) 473-4282

**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.)
Robert Weiss, M.D.,)
License No. 036.081734, Respondent.)

No. 2014-03195

14 MAY -6 PM 12:30
CLERK OF THE COURT
DEPT. OF FIN. & PROF. REG.

ORDER

This matter having come before the Director of the Division of Professional Regulation of the Illinois Department of Financial and Professional Regulation, on a Petition filed by the Chief of Medical Prosecutions of the Division, which requested Temporary Suspension of the Illinois Physician and Surgeon License of Respondent, Robert Weiss, M.D., and the Director, having examined the Petition, finds that the public interest, safety and welfare imperatively require emergency action to prevent the continued practice of Robert Weiss, M.D., Respondent, in that Respondent's actions constitute an immediate danger to the public.

NOW, THEREFORE, I, JAY STEWART, DIRECTOR OF THE DIVISION OF PROFESSIONAL REGULATION of the State of Illinois, hereby ORDER that the Illinois Physician and Surgeon License No. 036.081734 of Robert Weiss, M.D., Respondent, be **SUSPENDED**, pending proceedings before an Administrative Law Judge at the Department of Financial and Professional Regulation and the Medical Disciplinary Board of the State of Illinois.

I FURTHER ORDER that Respondent shall immediately surrender all indicia of licensure(s) to the Department.

DATED THIS 6th DAY OF May, 2014.

**DEPARTMENT OF FINANCIAL AND
PROFESSIONAL REGULATION
of the State of Illinois
Division of Professional Regulation**



JAY STEWART
Director

Ref: IDFPR Case No. 2014-03195
License No. 036.081734

**STATE OF ILLINOIS
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
DIVISION OF PROFESSIONAL REGULATION**

DEPARTMENT OF FINANCIAL AND
PROFESSIONAL REGULATION
of the State of Illinois,
v.
Robert A. Weiss, M.D.
License No. 036.081734,

)
)
) Complainant,
)
)
) Respondent.)

No. 2014-03195

14 MAY -5 PM 12:30
CLERK OF THE COURT

DEPT OF FINANCIAL AND
PROFESSIONAL REGULATION

PETITION FOR TEMPORARY SUSPENSION

NOW COMES the Complainant, by its Chief of Medical Prosecutions, Laura E. Forester, and Petitions JAY STEWART, Director of the Division of Professional Regulation, Department of Financial and Professional Regulation of the State of Illinois, pursuant to 225 ILCS 60/37, to issue an Order of Temporary Suspension of the Chiropractic Physician License of Robert A. Weiss, M.D. In support of said Petition, Petitioner states as follows:

1. Respondent is presently the holder of a Certificate of Registration as a Physician and Surgeon License No. 036.081734 issued by the Department of Financial and Professional Regulation of the State of Illinois. Said license is currently in active status.
2. On or about April 2, 2014, staff member A.N. was using the employee restroom at the Chicago Eye Institute located at 3982 N. Milwaukee Avenue in Chicago, Illinois.
3. At this time, A.N. observed what appeared to be a camera lens inside the toilet tank where a portion of the porcelain had been chiseled out.

4. A.N. removed the toilet top and observed a camera which was attached to the tank with Velcro.
5. A.N. contacted another employee who removed the camera and contacted the Chicago Police Department (CPD).
6. A search warrant was obtained on April 4, 2014, and the images of the camera recovered from the toilet tank of the restroom were viewed by the CPD.
7. Four (4) staff members viewed the images and identified themselves as being videotaped without their authorization.
8. Specifically, staff members M.W. and A.A. identified themselves as being videotaped at Illinois Masonic Hospital in the women's locker room located at 836 W. Wellington in Chicago, Illinois, and staff members A.N. and A.B. identified themselves as being videotaped in the restroom at the Chicago Eye Institute located at 3982 N. Milwaukee Avenue, Chicago, Illinois.
9. Further investigation revealed that the camera belonged to Respondent and was placed in the toilet tank by Respondent.
10. On or about April 8, 2014, Respondent was arrested and subsequently charged with four (4) counts of Unauthorized Videotaping under 720 ILCS 5/26-4(a) in the Circuit Court of Cook County, Illinois. See Exhibit A, attached hereto and made part of this Complaint.
11. Respondent is currently not allowed to practice at Illinois Masonic Hospital.
12. Respondent is currently not allowed to practice at the Chicago Eye Institute.
13. Brian Zachariah, M.D., Chief Medical Coordinator of the Illinois Department of Financial and Professional Regulations, Division of Professional Regulation, has

been consulted in this matter and believes that allowing Respondent, Robert A. Weiss, M.D., to continue to practice chiropractic medicine presents an immediate danger to the safety of the public in the State of Illinois. See Exhibit B, attached hereto and made part of this Petition.

14. Petitioner further alleges that the public interest, safety and welfare imperatively require emergency action, in that Respondent's continued practice of chiropractic medicine constitutes an immediate danger to the public.

WHEREFORE, Petitioner prays that the Chiropractic Physician License of Robert A. Weiss, M.D., be **Temporarily Suspended** pending proceedings before the Medical Disciplinary Board of the State of Illinois.

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

By: 

Laura E. Forester
Chief of Medical Prosecutions

Laura E. Forester
Chief of Medical Prosecution
Department of Financial and Professional Regulation
Division of Professional Regulation
100 West Randolph, 9-151
Chicago, Illinois 60601
312/814-7043

**STATE OF ILLINOIS
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
DIVISION OF PROFESSIONAL REGULATION**

DEPARTMENT OF FINANCIAL AND
PROFESSIONAL REGULATION
of the State of Illinois,
v.
Robert A. Weiss, M.D.,
License No. 036.081734

)
)
) Complainant,)

)
)
) Respondent.)

) No. 2014-03195

CLERK OF THE COURT
14 MAY -6 PM 12:31

DEPT OF FINANCIAL AND
PROFESSIONAL REGULATION

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 COMPLAINT against Robert A. Weiss, M.D., Respondent, complains as follows:

1. Respondent is presently the holder of a Certificate of Registration as a Physician and Surgeon in the State of Illinois, License No. 036.081734, 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 225 ILCS 60/36.
3. At all times herein mentioned, Respondent was practicing as a Physician in the State of Illinois at the Chicago Eye Institute located at 3892 N. Milwaukee Avenue.
4. At all times herein mentioned, Respondent was practicing as a Physician in the State of Illinois at Advocate Illinois Masonic Hospital located at 836 W. Wellington in Chicago.

5. While Respondent was employed as a physician at the Chicago Eye Institute, Respondent installed a video recording device and/or camera inside toilet tank located in an employee restroom on the premises.
6. Respondent had neither permission nor authorization to place a video recording device and/or camera inside the toilet on the premises of the Chicago Eye Institute.
7. Respondent videotaped at least two female employees of the Chicago Eye Institute while said female employees were using said restroom.
8. While Respondent was a physician with staff privileges at Advocate Illinois Masonic Medical Center, Respondent installed and/or placed a video recording device and/or camera inside women's locker room on the premises.
9. Respondent had neither permission nor authorization to place a video recording device and/or camera inside the women's locker room on the premises of the Advocate Illinois Masonic Medical Center.
10. Respondent videotaped at least two female employees of Advocate Illinois Masonic Medical Center while said female employees were using the women's locker room.
11. On or about April 8, 2014, Respondent was arrested and subsequently charged with four (4) counts of Unauthorized Videotaping under 720 ILCS 5/26-4(a) in the Circuit Court of Cook County, Illinois. See Exhibit A, attached hereto and made part of this Complaint.
12. Respondent knew and/or should have known that practice of medicine requires honesty and integrity of the highest degree.

13. Respondent knew and/or should have known that his conduct of unauthorized videotaping of multiple females is unbecoming of physician.
14. Respondent knew and/or should have known that his conduct of unauthorized videotaping of multiple females is unethical.
15. Respondent knew and/or should have known that his conduct of unauthorized videotaping of multiple females is immoral.
16. Respondent knew and/or should have known that his conduct of unauthorized videotaping of multiple females is unprofessional.
17. 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 (5) and (20).

WHEREFORE, based on the foregoing allegations, the DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION, DIVISION OF PROFESSIONAL REGULATION, of the State of Illinois, by Laura E. Forester, its Chief of Medical Prosecutions, prays that the Illinois Chiropractic License of Robert A. Weiss, 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 E. Forester
Chief of Medical Prosecutions

Laura E. Forester
Chief of Medical Prosecutions
Department of Financial and Professional Regulation
Division of Professional Regulation
100 West Randolph, 9-151
Chicago, Illinois 60601
312/814-7043