

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. 2013-05598
MICHEL YVON ROY, D.C.,)
License No.038.011609, Respondent.)

CLERK OF THE COURT

14 DEC 22 AM 10:35

ILL. DEPT. OF FINANCIAL AND
PROFESSIONAL REGULATION

COMPLAINT

NOW COMES THE DIVISION OF PROFESSIONAL REGULATION of the
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION of the State of Illinois
("Department"), by Laura E. Forester, Chief of Medical Prosecutions, through Kristina Waldron,
Staff Attorney, and as its Complaint against MICHEL YVON ROY, D.C. ("Respondent"),
complains as follows:

COUNT I

1. Respondent is presently the holder of a Certificate of Registration as a Chiropractor in the State of Illinois, License No. 038.011609, issued by the Department.
 - a. Respondent's Chiropractor License was first issued by the Department January 14, 2010.
 - b. Respondent's license is currently 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 mentioned herein Respondent practiced medicine as a Chiropractor in the State of Illinois.
4. At all times mentioned herein, Respondent treated, evaluated, examined or cared for patients at the offices of Roy Health Consultant, located at 222 W. Erie Street in Chicago, Illinois 60654.

5. At all times mentioned herein, Respondent maintained a web site at the URL
<http://www.royhealthconsultant.com>.
6. Respondent intends his web site to be read by prospective patients.
7. Respondent uses his web site to inform prospective patients of the following information:
 - a. The services Respondent offers;
 - b. The benefits of the services Respondent offers; and
 - c. How to schedule an appointment with Respondent.
8. Respondent uses his web site to promote his services.
9. On his web site, Respondent listed "Vega Test" as one of the services he provides.
10. On his web site, Respondent made following statements about "Vega Test:"
 - a. "Vega testing is a fast, safe, painless, and most importantly, accurate way of gathering information about your body;"
 - b. "Dr. Roy has used Vega testing extensively for 10 years and have [*sic.*] found it to be a highly valuable tool for helping patients to understand the underlying causes of their health issues and achieve lasting improvements in their health;"
 - c. "Vega testing is also called Electro Acupuncture, according to Voll or EAV testing;"
[*sic.*]
 - d. "It uses the acupuncture points in the hands as access points to your body's sensitive electromagnetic system;"
 - e. "From there, the machine measures electromagnetic fluctuations in your body in response to testing various elements;"
 - f. "Clinically relevant information can be attained from those measurements;"
 - g. "Naturopathic physicians also use conventional blood work, medical history and physical examination to assess their patients;" and

- h. "Vega testing is one more tool in the quest to understand the keys to unlocking your health potential."
- 11. On his web site, Respondent stated the following types of tests are done with the "Vega Machine:"
 - a. "Food allergy testing;"
 - b. "Organ Screen;" and
 - c. "Intestinal Flora imbalance."
- 12. On his web site, Respondent made the following statements about food allergy testing with the "Vega Machine:"
 - a. "We test 90 common foods to see which ones may be disturbing your body and which ones are not;"
 - b. "Patients consistently see clinical improvements when they eliminate or limit the foods that the Vega test identifies;" and
 - c. Your naturopathic physician will coach you on what you CAN eat so that you can easily transition to the diet that is right for YOU."
- 13. On his web site, Respondent made the following statements about "Organ Screen:"
 - a. "We assess 67 different body parts on a three point scale: healthy, stressed, very stressed;"
 - b. The organ screen assesses such organs as the stomach, kidneys, lungs etc and other body parts like spinal segments, lymph nodes, eyes, diaphragm, adrenals and more;"
 - c. "It is not a diagnostic test;"
 - d. Your naturopathic physician will use the results of this screen as clues to be investigated;"

- e. "Most times, patients report that the body parts that are flagged as stressed are the areas they are having trouble with;" and
- f. "If new areas show up, it may give you and your doctor insight into your symptoms, or you both may decide to 'watch and wait.'"

14. On his web site, Respondent made the following statements about "Intestinal Flora imbalance:"

- a. "One the [*sic.*] keys to the healthy functioning of the body is the presence of adequate good bacteria in the lining of the intestine;"
- b. "If the good bacteria are not present then yeast (*Candida albicans*), fungus and other opportunistic organisms will colonize the intestine, creating problems. (See the *Candida* article for further reference);"
- c. "This test assesses the balance of intestinal flora and reports the degree of *Candida* yeast present on a scale from 0 – 10;"
- d. "Zero indicates a healthy balance of flora;"
- e. "Ten indicates of lack of good bacteria and an overgrowth of *Candida* and possibly other opportunistic organisms;"
- f. "If necessary, your naturopathic physician will discuss an intestinal cleansing program to reestablish the healthy bacterial flora;" and
- g. "This test is included in the Food Allergy Profile."

15. The U.S. Food and Drug Administration classified devices such as the EAV device used in Respondent's Vega Test as Class 3 devices which require FDA approval prior to marketing.

16. No EAV device has ever been FDA approved.

17. There is no scientific basis for Respondent's Vega Test.

18. Respondent's Vega Test is not a diagnostic tool.

19. Respondent's Vega Test is not a screening tool.
20. Respondent committed acts and/or omissions which constitute violations of the Medical Practice Act, 225 ILCS 60/1 et seq., including but not limited to engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public because Respondent promoted the Vega Test to prospective patients as a diagnostic and screening tool and Respondent gained financially by providing the Vega Test as a service to his patients.
21. The foregoing acts and/or omissions are grounds for revocation or suspension of a Certificate of Registration pursuant to 225 ILCS 60/22(A)(5), (6), (18) and (31).

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, Chief of Medical Prosecutions, through Kristina Waldron, Staff Attorney, prays that the Chiropractor License of MICHEL YVON ROY, D.C. be revoked, suspended, placed on probation or otherwise disciplined.

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

By: 

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