

**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.))

ORDER

This matter having come before the Medical Disciplinary Board of the Department of Financial and Professional Regulation, Division of Professional Regulation ("Department"), and the Medical Disciplinary Board having made certain Findings of Fact, Conclusions of Law and Recommendation to the Director of the of the Department; and the Department having complied with all required notices; Respondent having filed a Motion for Rehearing and the Department having filed its Response;

I, JAY STEWART, Director of the Division of Professional Regulation of the Department of Financial and Professional Regulation of the State of Illinois, do find that I have jurisdiction of the parties and the subject matter herein, that oral argument on said Motion for Rehearing is not necessary for a clear understanding of the issues presented, that Respondent has failed to allege new evidence sufficient to warrant action contrary to the Board's Findings of Fact, Conclusions of Law and Recommendation to the Director, that Respondent has failed to allege facts setting forth an appropriate basis to warrant action contrary to the Board's Findings of Fact, Conclusions of Law and Recommendation to the Director, that Respondent has failed to allege errors of law setting forth an appropriate basis to warrant action contrary to the Board's Findings of Fact, Conclusions of Law and Recommendation to the Director, and that substantial justice has been done in this case;


NOW, THEREFORE, I hereby adopt the Findings of Fact, Conclusions of Law and Recommendation of the Medical Disciplinary Board of November 4, 2015 in this matter.

IT IS THEREFORE ORDERED that the Certificate of Registration as a Chiropractor in the State of Illinois issued to MICHEL YVON ROY, D.C., License No. 038.011609 be INDEFINITELY SUSPENDED.

DATED THIS 12th DAY OF January, 2016.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL
REGULATION of the STATE of ILLINOIS;
BRYAN A. SCHNEIDER, SECRETARY

DIVISION OF PROFESSIONAL REGULATION



JAY STEWART
DIRECTOR

STATE OF ILLINOIS
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
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of the State of Illinois,)	Complainant,
v.)	No. 2013-05598
MICHEL YVON ROY, D.C.,)	
License No. 038.011609,)	Respondent.

FINDINGS OF FACT, CONCLUSIONS OF LAW
AND RECOMMENDATION TO THE DIRECTOR

Now comes the Medical Disciplinary Board (the "Board") of the Department of Financial and Professional Regulation, Division of Professional Regulation of the State of Illinois (the "Department") and, after reviewing the pleadings in this matter, a majority of its members hereby make the following Findings of Fact, Conclusions of Law and Recommendation to the Director of the Department:

FINDINGS OF FACT

1. THAT Respondent, MICHEL YVON ROY, D.C., is presently the holder of a Department issued Certificate of Registration as a Chiropractor in the State of Illinois, License No. 038.011609. Said license is presently in ACTIVE status.
2. THAT on December 22, 2014, the Department filed a Complaint against Respondent and sent notice of said Complaint by certified and regular mail to Respondent's last known addresses.
3. THAT on August 3, 2015, Respondent's attorney appeared for a Status Hearing.
4. THAT on August 3, 2015, Administrative Law Judge Mary Catherine Marubio ordered Respondent to answer or otherwise plead to the Department's Complaint on or before August 25, 2015.
5. THAT Respondent failed to answer or otherwise plead to the Department's Complaint on or before August 25, 2015.
6. THAT on October 19, 2015, Chief Administrative Law Judge Donald W. Seasock transferred this matter to the Board for its deliberation based on the pleadings.
7. THAT in 2013, 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.
8. THAT in 2013, Respondent maintained a web site at the URL <http://www.royhealthconsultant.com>.
9. THAT on his web site, Respondent posted or caused to be posted that the "Vega Test" was one of the services he provided.

10. THAT the statements Respondent posted caused to be posted on his web site included the following:
 - 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;"
 - 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;" and
 - f. "Clinically relevant information can be attained from those measurements."
11. THAT on his web site, Respondent stated or caused to be stated that he conducts the following tests with the "Vega Machine:"
 - a. "Food allergy testing;"
 - b. "Organ screen;" and
 - c. "Intestinal flora imbalance."
12. THAT 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.
13. THAT no EAV device has ever been FDA approved.
14. THAT Respondent's Vega test is neither a diagnostic nor a screening tool.
15. THAT 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), relying on the Rules for the Administration of the Medical Practice Act, 68 Ill. Admin. Code 1285.240.


CONCLUSIONS OF LAW

1. THAT the Board has jurisdiction over the subject matter and of the parties in this matter.
2. THAT Respondent violated 225 ILCE 60/22(A)(5).

RECOMMENDATION

The Board, after making the above Findings of Fact and Conclusions of Law, recommends to the Director of the Department that the Certificate of Registration as a Chiropractor in the State of Illinois issued to Respondent MICHEL YVON ROY, D.C., License No. 038.011609, be INDEFINITELY SUSPENDED.

DATED THIS 4 DAY OF November, 2015.


CHAIRPERSON Maria Laporta, M.D.

MEMBER




MEMBER



MEMBER



MEMBER


MEMBER



MEMBER



MEMBER



MEMBER