BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Petition for Reconsideration of:	)	
JEREMY LR GOODWIN, M.D. Physician's and Surgeon's Certificate No. G76323	)	Case No. 8002017030322
Petitioner	)	

ORDER DENYING PETITION FOR RECONSIDERATION

The Petition filed by Thomas H. Lambert, Esq., attorney for JEREMY LR GOODWIN, M.D., for the reconsideration of the decision in the above-entitled matter having been read and considered by the Medical Board of California, is hereby denied.

This Decision remains effective at 5:00 p.m. on **September 8, 2017**.

IT IS SO ORDERED: September 8, 2017.

Jamie Wright, J.D., Chair
Panel A

BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Petition to Revoke Probation Against:	)	
	)	MBC No. 8002017030322
JEREMY LR GOODWIN, M.D.	)	
	)	
Physician's and Surgeon's Certificate No. G76323	)	**ORDER GRANTING STAY**
	)	(Government Code Section 11521)
Respondent	)	

Respondent, JEREMY LR GOODWIN, M.D., has filed a Petition for Reconsideration of the Decision in this matter with an effective date of September 1, 2017 at 5:00 p.m.

Execution is stayed until September 8, 2017 at 5:00 p.m.

This stay is granted solely for the purpose of allowing the Board to consider the Petition for Reconsideration.

DATED: August 31, 2017

Kimberly Kirchmeyer
Executive Director
Medical Board of California

XAVIER BECERRA
Attorney General of California
ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
MARA FAUST
Deputy Attorney General
State Bar No. 111729
California Department of Justice
1300 I Street, Suite 125
P.O. Box 944255
Sacramento, CA 94244-2550
Telephone: (916) 324-5358
Facsimile: (916) 327-2247

Attorneys for Complainant

BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Petition to Revoke Probation Against, **JEREMY LR GOODWIN, M.D.** P.O. Box 1676 Mt. Shasta, CA 96067-1676 Physician's and Surgeon's Certificate No. G 76323	Case No. 800-2017-030322 **DEFAULT DECISION AND ORDER** [Gov. Code, §11520]

FINDINGS OF FACT

1. On or about April 12, 2017, Complainant Kimberly Kirchmeyer, in her official capacity as the Executive Director of the Medical Board of California, Department of Consumer Affairs, filed Petition to Revoke Probation No. 800-2017-030322 against Jeremy LR Goodwin, M.D. (Respondent) before the Medical Board of California.

2. On or about April 19, 1993, the Medical Board of California (Board) issued Physician's and Surgeon's Certificate No. G 76323 to Respondent. The Physician's and Surgeon's Certificate expired on February 28, 2015, and has not been renewed. See Declaration of Christina Valencia.

///

3. On or about April 12, 2017, Rozana Firdaus, an employee of the Complainant Agency, served by Certified and First Class Mail a copy of the Petition to Revoke Probation No. 800-2017-030322, Statement to Respondent, Notice of Defense, Request for Discovery, and Government Code sections 11507.5, 11507.6, and 11507.7 to Respondent's address of record with the Board, which was and is P.O. Box 1676, Mt. Shasta, CA 96067-1676. See the Petition to Revoke Probation, the related documents, and Declaration of Service, which are in a separately filed Evidence Package as Exhibit A.

4. On or about April 18, 2017, Rozana Firdaus, served by Certified and First Class Mail a copy of the Petition to Revoke Probation No. 800-2017-030322, Statement to Respondent, Notice of Defense, Request for Discovery, and Government Code sections 11507.5, 11507.6, and 11507.7 to Respondent's other known addresses with the Board, which was and is P.O. Box 1043, Talent, Oregon 97540 and 7388 Upper Applegate Road, Jacksonville, Oregon 97530. See Declaration of Service for the Petition to Revoke which is in a separately filed Evidence Package as Exhibit B.

5. Service of the Petition to Revoke Probation was effective as a matter of law under the provisions of Government Code section 11505, subdivision (c).

6. On or about May 12, 2017, a Courtesy Notice of Default was mailed to respondent at his Mr. Shasta, California; Jacksonville, Oregon; and Talent, Oregon addresses. Both Courtesy Notices were forwarded to 272 Gresham St., Ashland, Oregon and signed for. See Courtesy Notice of Default and the Proofs of Service by certified mail which are in a separately filed Evidence Package as Exhibit C.

Probationary History

7. Respondent's Physician's and Surgeon's Certificate No. G 76323 was placed on five-years probation with various terms and conditions effective on September 3, 2014. See Declaration of Christina Valencia.

8. Christina Valencia was a probation technician who monitored respondent's probation. On or about February 6, 2017, Ms. Valencia authored a violation of probation report which is in a separately filed Evidence Package as Exhibit 3 to the Declaration of Christina Valencia. In this

violation of probation report, there is documentation to support the fact that respondent is in violation of the following conditions: condition 10, (requiring submittal of quarterly reports), which respondent has not complied with since August of 2015; condition 11, (general probation requirements), in that respondent has failed to notify the Board of his move to Oregon, and has allowed his license to become delinquent; and condition 13 (non-practice while on probation), in that respondent has failed to notify the board of his non-practice in California for over two years.

9. On or about February 27, 2015, respondent was sent an e-mail from Catherine Hayes, a probation manager, who explained that respondent can surrender his license now and probation will end or let probation toll while he lives out of state, but that after two years of non-practice in California, he will be in violation of probation and could have his license revoked. See Declaration of Christina Valencia.

10. On or about August 10, 2015, Ms. Valencia wrote to respondent to let him know she was his assigned probation monitor and to notify him that time spent out of state would not count to reduction of the probationary period. She also included a supply of semi-annual declarations for respondent to fill out. See Declaration of Christina Valencia.

11. On or about June 17, 2016, Ms. Valencia sent a letter to respondent informing him that Condition 11 of his decision, required him to notify the Medical Board of California of any changes to his residence or business. She again attached blank semi-annual declarations for respondent to fill out. She also stated in the letter that since his license had expired and his non-renewal was a violation of probation. Respondent was sent a Request for Surrender of License While On Probation form. See Declaration of Christina Valencia.

12. In December of 2016, while reviewing respondent's file, Ms. Valencia came across respondent's signed Agreement for Surrender of License document received on March 24, 2015. This surrender was not processed due to the fact that respondent had altered the document. See Declaration of Christina Valencia.

13. On December 14, 2016, Ms. Valencia wrote a letter to respondent at the Jacksonville, Oregon address, stating that his last Agreement for Surrender of License document was not processed due to the fact that he had handwritten comments on the document. Respondent was

sent another Agreement for Surrender of License Document to sign if he still wished to move forward with the surrender. Ms. Valencia informed respondent that if he did not surrender his license, he must bring his California license back to current/active status within the next 30 days and that failure to renew the license is a violation. Ms. Valencia also reminded respondent that he must keep the Board informed of his current business and residence addresses and that failure to notify the Board of a change of address is also a violation. See Declaration of Christina Valencia.

14. On January 4, 2017, Ms. Valencia received a call from respondent stating he had received her letter and wanted to discuss his options. He stated that he is no longer sure if he wanted to surrender his license. Ms. Valencia told respondent that his only other option would be to bring his license back to current/active status, and to send in the semi-annual declarations that she requested. To date, Ms. Valencia have still not received the signed Agreement for Surrender of License or any semi-annual declaration forms. See Declaration of Christina Valencia.

15. Business and Professions Code section 118 states, in pertinent part:

"(b) The suspension, expiration, or forfeiture by operation of law of a license issued by a board in the department, or its suspension, forfeiture, or cancellation by order of the board or by order of a court of law, or its surrender without the written consent of the board, shall not, during any period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its authority to institute or continue a disciplinary proceeding against the licensee upon any ground provided by law or to enter an order suspending or revoking the license or otherwise taking disciplinary action against the license on any such ground."

16. Government Code section 11506 states, in pertinent part:

"(c) The respondent shall be entitled to a hearing on the merits if the respondent files a notice of defense, and the notice shall be deemed a specific denial of all parts of the accusation not expressly admitted. Failure to file a notice of defense shall constitute a waiver of respondent's right to a hearing, but the agency in its discretion may nevertheless grant a hearing."

17. Respondent failed to file a Notice of Defense within 15 days after service upon him of the Petition to Revoke Probation, and therefore waived his right to a hearing on the merits of Petition to Revoke Probation No. 800-2017-030322.

18. California Government Code section 11520 states, in pertinent part:

"(a) If the respondent either fails to file a notice of defense or to appear at the hearing, the agency may take action based upon the respondent's express admissions or upon other evidence and affidavits may be used as evidence without any notice to respondent."

19. Pursuant to its authority under Government Code section 11520, the Board finds Respondent is in default. The Board will take action without further hearing and, based on Respondent's express admissions by way of default and the evidence before it, (contained in separately filed Evidence Package in support of default as Exhibits A, B, C, 1, 2 and 3), finds that the allegations in Petition to Revoke Probation No. 800-2017-030322 are true.

DETERMINATION OF ISSUES

1. Based on the foregoing findings of fact, Respondent Jeremy LR Goodwin, M.D., has subjected his Physician's and Surgeon's Certificate No. G 76323 to discipline.

2. A copy of the Petition to Revoke Probation and the related documents and Declaration of Service have been filed in a separately filed Evidence Package in support of default.

3. The agency has jurisdiction to adjudicate this case by default.

4. The Medical Board of California is authorized to revoke Respondent's Physician's and Surgeon's Certificate No. G 76323 based upon the following violations alleged in the Petition to Revoke Probation:

a. At all times after the effective date of Respondent's probation respondent has failed to submit quarterly reports, he has failed to practice in California, and has let his California license fall into delinquent status, each of which is a violation of his probation and a basis for disciplinary action under Business and Professions Code section 2227.

///

///

///

///

///

ORDER

IT IS ORDERED that Physician's and Surgeon's Certificate No. G 76323, heretofore issued to Respondent Jeremy LR Goodwin, M.D., is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on SEPTEMBER 1, 2017.

It is ORDERED AUGUST 4, 2017.

FOR THE MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
KIMBERLY KIRCHMEYER,
EXECUTIVE DIRECTOR

SA2017303625
32862986.doc

XAVIER BECERRA
Attorney General of California
ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
MARA FAUST
Deputy Attorney General
State Bar No. 111729
California Department of Justice
1300 I Street, Suite 125
P.O. Box 944255
Sacramento, CA 94244-2550
Telephone: (916) 324-5358
Facsimile: (916) 327-2247

Attorneys for Complainant

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO April 12 20 17
BY R. Firdaus ANALYST

BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Petition to Revoke Probation Against: **JEREMY LR GOODWIN, M.D.** P.O. Box 1676 Mt. Shasta, CA 96067-1676 Physician's and Surgeon's Certificate No. No. G 76323 Respondent.	Case No. 800-2017-030322 **PETITION TO REVOKE PROBATION**

Complainant alleges:

PARTIES

1. Kimberly Kirchmeyer (Complainant) brings this Petition to Revoke Probation solely in her official capacity as the Executive Director of the Medical Board of California, Department of Consumer Affairs.

2. On or about April 19, 1993, the Medical Board of California issued Physician's and Surgeon's Certificate No. G 76323 to Jeremy LR Goodwin, M.D. (Respondent). The Physician's and Surgeon's Certificate No. G 76323 expired on February 28, 2015, has not been renewed, and is in a delinquent status.

///

3. In a disciplinary action entitled "In the Matter of the Accusation Against Jeremy LR Goodwin, M.D.," Case No. 02-2011-217447, the Medical Board of California, issued a decision, effective September 3, 2014, in which Respondent's Physician's and Surgeon's Certificate No. G 76323 was revoked. However, the revocation was stayed and Respondent's Physician's and Surgeon's Certificate No. G 76323 was placed on probation for a period of five (5) years with certain terms and conditions. A copy of that decision is attached as Exhibit A and is incorporated by reference.

JURISDICTION

4. This Petition to Revoke Probation is brought before the Medical Board of California (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

5. Section 2227 of the Code provides that a licensee who is found guilty under the Medical Practice Act may have his or her license revoked, suspended for a period not to exceed one year, placed on probation and required to pay the costs of probation monitoring, or such other action taken in relation to discipline as the Board deems proper.

6. Section 118, subdivision (b), of the Code provides that the suspension/expiration/surrender/cancellation of a license shall not deprive the Board/Registrar/Director of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

FIRST CAUSE TO REVOKE PROBATION
(Quarterly Reports)

7. At all times after the effective date of Respondent's probation, Condition 10 stated: "Respondent shall submit quarterly declarations under penalty of perjury on forms provided by the Board, stating whether there has been compliance with all the conditions of probation. Respondent shall submit quarterly declarations not later than 10 calendar days after the end of the proceeding quarter."

///

///

8. Respondent's probation is subject to revocation because he failed to comply with Probation Condition 10, referenced above. The facts and circumstances regarding this violation are as follows:

A. In or about January 2016 through December 2016, Respondent failed to submit the last two semi-annual declarations as required, for the reporting period of January through June 2016 and July through December 2016.

SECOND CAUSE TO REVOKE PROBATION
(General Probation Requirements)

9. At all times after the effective date of Respondent's probation, Condition 11 stated: "Respondent shall maintain a current and renewed California license." "Respondent shall, at all times, keep the Board informed of Respondent's residence addresses, email address and phone number. Changes to such addresses shall be immediately communicated in writing to the Board."

10. Respondent's probation is subject to revocation because he failed to comply with Probation Condition 11, referenced above. The facts and circumstances regarding this violation are as follows:

A. Respondent has failed to practice medicine in the state of California since February 27, 2015. Respondent voluntarily decided not to seek renewal of his California Physician's and Surgeon's license on February 27, 2015 and since that time his license has been in a delinquent status. Respondent has failed to keep the Board informed of his current address.

THIRD CAUSE TO REVOKE PROBATION
(Non-Practice While On Probation)

11. At all times after the effective date of Respondent's probation, Condition 13 stated: "Respondent's period of non-practice while on probation shall not exceed two (2) years. Included under this condition is the clause which states: 'Periods of non-practice will relieve Respondent of the responsibility to comply with the probationary terms and conditions with the exception of this condition [#13] and the following terms and conditions of probation: Obey All Laws and General Probation Requirements [#11].'"

///

12. Respondent's probation is subject to revocation because he failed to comply with Probation Condition 13, referenced above. The facts and circumstances regarding this violation are as follows:

A. Respondent has failed to practice medicine in the state of California since February 27, 2015. Respondent voluntarily decided not to seek renewal of his California Physician's and Surgeon's license on February 27, 2015. Respondent wrote to the California Board's probation office stating his intention not to practice and requesting his probation monitor to send Respondent a Formal Agreement to Surrender. Respondent altered that agreement by stating he considered that his California Physician's and Surgeon's license would be retired not surrendered. Based on this alteration the Board did not process the settlement. The probation monitor again sent Respondent a Formal Agreement to Surrender without the altered language and Respondent has failed to respond.

DISCIPLINE CONSIDERATIONS

13. To determine the degree of discipline, if any, to be imposed on Respondent, Complainant alleges that on or about September 3, 2014, in a prior disciplinary action entitled "In the Matter of the Accusation Against Jeremy LR Goodwin, M.D." before the Medical Board of California, in Case No. 02-2011-217447, Respondent's license was revoked, the revocation stayed and Respondent was placed on five years probation with terms and conditions. That decision is now final and is incorporated by reference as if fully set forth.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Medical Board of California issue a decision:

1. Revoking the probation that was granted by the Medical Board of California in Case No. 02-2011-217447 and imposing the disciplinary order that was stayed thereby revoking Physician's and Surgeon's Certificate No. G 76323 issued to Respondent Jeremy LR Goodwin, M.D.;

///

2. Revoking or suspending Physician's and Surgeon's Certificate No. G 76323, issued to Respondent Jeremy LR Goodwin, M.D.;

3. Revoking, suspending or denying approval of Respondent Jeremy LR Goodwin, M.D.'s authority to supervise physician's assistants, pursuant to section 3527 of the Code, or advanced nurse practitioners;

4. Ordering Respondent Jeremy LR Goodwin, M.D. to pay the Medical Board of California the costs of probation monitoring, if placed on probation; and

5. Taking such other and further action as deemed necessary and proper.

DATED: April 12, 2017

KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

SA2017303625
32785192.docx

Exhibit A

Decision and Order

Medical Board of California Case No. 02-2011-217447

BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:	)	
	)	
	)	
	)	
JEREMY GOODWIN, M.D.	)	MBC File # 02-2011-217447
	)	
Physician's & Surgeon's Certificate No. G 76323	)	
	)	
	)	
Respondent.	)	

ORDER CORRECTING NUNC PRO TUNC CLERICAL ERROR IN "PHYSICIAN'S & SURGEON'S CERTIFICATE NUMBER" PORTION OF DECISION

On its own motion, the Medical Board of California (hereafter "board") finds that there is a clerical error in the "Physician's & Surgeon's Certificate Number" portion of the Decision in the above-entitled matter and that such clerical error should be corrected so that the license number will conform to the Board's issued license.

IT IS HEREBY ORDERED that the license number contained on the Decision Order Page in the above-entitled matter be and hereby is amended and corrected nunc pro tunc as of the date of entry of the decision to read G 76323.

August 19, 2014

Barbara Yaroslavsky

Barbara Yaroslavsky, Chair
Panel A

MEDICAL BOARD OF CALIFORNIA
I do hereby certify that this document is a true and correct copy of the original on file in this office.

Cynthia Kauze
Signature

For Custodian of records
Title

2/16/2017
Date

BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:	)	
	)	
	)	
JEREMY GOODWIN, M.D.	)	Case No. 02-2011-217447
	)	
Physician's and Surgeon's	)	
Certificate No. GFE 76323	)	
	)	
Respondent.	)	
	)	

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Medical Board of California, Department of Consumer Affairs, State of California, as its Decision in this matter.

This Decision shall become effective at 5:00 p.m. on September 3, 2014.

IT IS SO ORDERED August 4, 2014.

MEDICAL BOARD OF CALIFORNIA

By: _____
Barbara Yaroslavsky, Chair
Panel A

MEDICAL BOARD OF CALIFORNIA
I do hereby certify that this document is a true and correct copy of the original on file in this office.
Signature
Custodian of records
Title
2/16/2017
Date

KAMALA D. HARRIS
Attorney General of California
E. A. JONES III
Supervising Deputy Attorney General
MARA FAUST
Deputy Attorney General
State Bar No. 111729
California Department of Justice
1300 I Street, Suite 125
P.O. Box 944255
Sacramento, CA 94244-2550
Telephone: (916) 324-5358
Facsimile: (916) 327-2247
Attorneys for Complainant

BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against: **JEREMY GOODWIN, M.D.** P.O. Box 1676 Mt. Shasta, CA 96067-1676 Physician's and Surgeon's Certificate No. GFE 76323 Respondent.	Case No. 02-2011-217447 OAH No. 2013070342 **STIPULATED SETTLEMENT AND DISCIPLINARY ORDER**

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-entitled proceedings that the following matters are true:

PARTIES

1. Kimberly Kirchmeyer ("Complainant") is the Interim Executive Director of the Medical Board of California. She brought this action solely in her official capacity and is represented in this matter by Kamala D. Harris, Attorney General of the State of California, by Mara Faust, Deputy Attorney General.

///

///

2. Respondent Jeremy Goodwin, M.D. ("Respondent") is represented in this proceeding by attorney Robert D. Blinder, whose address is: Law Offices of Glazer and Blinder 23945 Calabasas Road, Suite 200, Calabasas, California 91302.

3. On or about April 19, 1993, the Medical Board of California issued Physician's and Surgeon's Certificate No. GFE 76323 to Jeremy Goodwin, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in Accusation No. 02-2011-217447 and expired on February 28, 2013.

JURISDICTION

4. Accusation No. 02-2011-217447 was filed before the Medical Board of California (Board) , Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on May 8, 2013. Respondent timely filed his Notice of Defense contesting the Accusation.

5. A copy of Accusation No. 02-2011-217447 is attached as exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 02-2011-217447. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

7. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel at his own expense; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

///

///

8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

9. Respondent admits the truth of the first cause in Accusation No. 02-2011-217447.

10. Respondent agrees that his Physician's and Surgeon's Certificate is subject to discipline and he agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

CIRCUMSTANCES IN MITIGATION

11. Respondent Jeremy Goodwin, M.D. has never been the subject of any disciplinary action. He is admitting responsibility at an early stage in the proceedings.

RESERVATION

12. The admissions made by Respondent herein are only for the purposes of this proceeding, or any other proceedings in which the Medical Board of California or other professional licensing agency is involved, and shall not be admissible in any other criminal or civil proceeding.

CONTINGENCY

13. This stipulation shall be subject to approval by the Medical Board of California. Respondent understands and agrees that counsel for Complainant and the staff of the Medical Board of California may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent or his counsel. By signing the stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

///

///

14. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Settlement and Disciplinary Order, including Portable Document Format (PDF) and facsimile signatures thereto, shall have the same force and effect as the originals.

15. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. GFE 76323 issued to Respondent Jeremy Goodwin, M.D. (Respondent) is revoked. However, the revocation is stayed and Respondent is placed on probation for five (5) years on the following terms and conditions.

1. EDUCATION COURSE. Within 60 calendar days of the effective date of this Decision, and for the first two years of probation, Respondent shall submit to the Board or its designee for its prior approval educational program(s) or course(s) which shall not be less than 40 hours per year, for each year of probation. The educational program(s) or course(s) shall be aimed at correcting any areas of deficient practice or knowledge and shall be Category I certified. The educational program(s) or course(s) shall be at Respondent's expense and shall be in addition to the Continuing Medical Education (CME) requirements for renewal of licensure. Following the completion of each course, the Board or its designee may administer an examination to test Respondent's knowledge of the course. Respondent shall provide proof of attendance for 65 hours of CME of which 40 hours were in satisfaction of this condition.

2. PRESCRIBING PRACTICES COURSE. Within 60 calendar days of the effective date of this Decision, Respondent shall enroll in a course in prescribing practices equivalent to the Prescribing Practices Course at the Physician Assessment and Clinical Education Program, University of California, San Diego School of Medicine (Program), approved in advance by the Board or its designee. Respondent shall provide the program with any information and documents that the Program may deem pertinent. Respondent shall participate in and successfully complete the classroom component of the course not later than six (6) months after Respondent's initial

enrollment. Respondent shall successfully complete any other component of the course within one (1) year of enrollment. The prescribing practices course shall be at Respondent's expense and shall be in addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

A prescribing practices course taken after the acts that gave rise to the charges in the Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board or its designee, be accepted towards the fulfillment of this condition if the course would have been approved by the Board or its designee had the course been taken after the effective date of this Decision.

Respondent shall submit a certification of successful completion to the Board or its designee not later than 15 calendar days after successfully completing the course, or not later than 15 calendar days after the effective date of the Decision, whichever is later.

3. MEDICAL RECORD KEEPING COURSE. Within 60 calendar days of the effective date of this Decision, Respondent shall enroll in a course in medical record keeping equivalent to the Medical Record Keeping Course offered by the Physician Assessment and Clinical Education Program, University of California, San Diego School of Medicine (Program), approved in advance by the Board or its designee. Respondent shall provide the program with any information and documents that the Program may deem pertinent. Respondent shall participate in and successfully complete the classroom component of the course not later than six (6) months after Respondent's initial enrollment. Respondent shall successfully complete any other component of the course within one (1) year of enrollment. The medical record keeping course shall be at Respondent's expense and shall be in addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

A medical record keeping course taken after the acts that gave rise to the charges in the Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board or its designee, be accepted towards the fulfillment of this condition if the course would have been approved by the Board or its designee had the course been taken after the effective date of this Decision.

Respondent shall submit a certification of successful completion to the Board or its designee not later than 15 calendar days after successfully completing the course, or not later than 15 calendar days after the effective date of the Decision, whichever is later.

4. MONITORING - PRACTICE/BILLING. Within 30 calendar days of the effective date of this Decision, Respondent shall submit to the Board or its designee for prior approval as a practice monitor, the name and qualifications of one or more licensed physicians and surgeons whose licenses are valid and in good standing, and who are preferably American Board of Medical Specialties (ABMS) certified. A monitor shall have no prior or current business or personal relationship with Respondent, or other relationship that could reasonably be expected to compromise the ability of the monitor to render fair and unbiased reports to the Board, including but not limited to any form of bartering, shall be in Respondent's field of practice, and must agree to serve as Respondent's monitor. Respondent shall pay all monitoring costs.

The Board or its designee shall provide the approved monitor with copies of the Decision(s) and Accusation(s), and a proposed monitoring plan. Within 15 calendar days of receipt of the Decision(s), Accusation(s), and proposed monitoring plan, the monitor shall submit a signed statement that the monitor has read the Decision(s) and Accusation(s), fully understands the role of a monitor, and agrees or disagrees with the proposed monitoring plan. If the monitor disagrees with the proposed monitoring plan, the monitor shall submit a revised monitoring plan with the signed statement for approval by the Board or its designee.

Within 60 calendar days of the effective date of this Decision, and continuing for the first year of probation, Respondent's practice monitor shall be monitored by the approved monitor. Respondent shall make all records available for immediate inspection and copying on the premises by the monitor at all times during business hours and shall retain the records for the entire term of probation.

///

///

///

///

If Respondent fails to obtain approval of a monitor within 60 calendar days of the effective date of this Decision, Respondent shall receive a notification from the Board or its designee to cease the practice of medicine within three (3) calendar days after being so notified. Respondent shall cease the practice of medicine until a monitor is approved to provide monitoring responsibility.

The monitor(s) shall submit a quarterly written report to the Board or its designee which includes an evaluation of Respondent's performance, indicating whether Respondent's practices are within the standards of practice of medicine, and whether Respondent is practicing medicine safely, billing appropriately or both. It shall be the sole responsibility of Respondent to ensure that the monitor submits the quarterly written reports to the Board or its designee within 10 calendar days after the end of the preceding quarter.

If the monitor resigns or is no longer available, Respondent shall, within 5 calendar days of such resignation or unavailability, submit to the Board or its designee, for prior approval, the name and qualifications of a replacement monitor who will be assuming that responsibility within 15 calendar days. If Respondent fails to obtain approval of a replacement monitor within 60 calendar days of the resignation or unavailability of the monitor, Respondent shall receive a notification from the Board or its designee to cease the practice of medicine within three (3) calendar days after being so notified Respondent shall cease the practice of medicine until a replacement monitor is approved and assumes monitoring responsibility.

In lieu of a monitor, Respondent may participate in a professional enhancement program equivalent to the one offered by the Physician Assessment and Clinical Education Program at the University of California, San Diego School of Medicine, that includes, at minimum, quarterly chart review, semi-annual practice assessment, and semi-annual review of professional growth and education. Respondent shall participate in the professional enhancement program at Respondent's expense during the term of probation.

5. SOLO PRACTICE PROHIBITION. Respondent is prohibited from engaging in the solo practice of medicine. Prohibited solo practice includes, but is not limited to, a practice where: 1) Respondent merely shares office space with another physician but is not affiliated for

purposes of providing patient care, or 2) Respondent is the sole physician practitioner at that location.

If Respondent fails to establish a practice with another physician or secure employment in an appropriate practice setting within 60 calendar days of the effective date of this Decision, Respondent shall receive a notification from the Board or its designee to cease the practice of medicine within three (3) calendar days after being so notified. The Respondent shall not resume practice until an appropriate practice setting is established.

If, during the course of the probation, the Respondent's practice setting changes and the Respondent is no longer practicing in a setting in compliance with this Decision, the Respondent shall notify the Board or its designee within 5 calendar days of the practice setting change. If Respondent fails to establish a practice with another physician or secure employment in an appropriate practice setting within 60 calendar days of the practice setting change, Respondent shall receive a notification from the Board or its designee to cease the practice of medicine within three (3) calendar days after being so notified. The Respondent shall not resume practice until an appropriate practice setting is established.

6. PROHIBITED PRACTICE. During probation, Respondent is prohibited from using medical assistants to refill infusion pumps with prescription pain medication. After the effective date of this Decision, all patients being treated by the Respondent shall be notified that the Respondent is prohibited from using medical assistants to refill infusion pumps with prescription pain medication. Any new patients must be provided this notification at the time of their initial appointment.

Respondent shall maintain a log of all patients to whom the required oral notification was made. The log shall contain the: 1) patient's name, address and phone number; patient's medical record number, if available; 3) the full name of the person making the notification; 4) the date the notification was made; and 5) a description of the notification given. Respondent shall keep this log in a separate file or ledger, in chronological order, shall make the log available for immediate inspection and copying on the premises at all times during business hours by the Board or its designee, and shall retain the log for the entire term of probation.

7. NOTIFICATION. Within seven (7) days of the effective date of this Decision, the Respondent shall provide a true copy of this Decision and Accusation to the Chief of Staff or the Chief Executive Officer at every hospital where privileges or membership are extended to Respondent, at any other facility where Respondent engages in the practice of medicine, including all physician and locum tenens registries or other similar agencies, and to the Chief Executive Officer at every insurance carrier which extends malpractice insurance coverage to Respondent. Respondent shall submit proof of compliance to the Board or its designee within 15 calendar days.

This condition shall apply to any change(s) in hospitals, other facilities or insurance carrier.

8. SUPERVISION OF PHYSICIAN ASSISTANTS. During probation, Respondent is prohibited from supervising physician assistants.

9. OBEY ALL LAWS. Respondent shall obey all federal, state and local laws, all rules governing the practice of medicine in California and remain in full compliance with any court ordered criminal probation, payments, and other orders.

10. QUARTERLY DECLARATIONS. Respondent shall submit quarterly declarations under penalty of perjury on forms provided by the Board, stating whether there has been compliance with all the conditions of probation.

Respondent shall submit quarterly declarations not later than 10 calendar days after the end of the preceding quarter.

11. GENERAL PROBATION REQUIREMENTS.

Compliance with Probation Unit

Respondent shall comply with the Board's probation unit and all terms and conditions of this Decision.

Address Changes

Respondent shall, at all times, keep the Board informed of Respondent's business and residence addresses, email address (if available), and telephone number. Changes of such addresses shall be immediately communicated in writing to the Board or its designee. Under no

///

circumstances shall a post office box serve as an address of record, except as allowed by Business and Professions Code section 2021(b).

Place of Practice

Respondent shall not engage in the practice of medicine in Respondent's or patient's place of residence, unless the patient resides in a skilled nursing facility or other similar licensed facility.

License Renewal

Respondent shall maintain a current and renewed California physician's and surgeon's license.

Travel or Residence Outside California

Respondent shall immediately inform the Board or its designee, in writing, of travel to any areas outside the jurisdiction of California which lasts, or is contemplated to last, more than thirty (30) calendar days.

In the event Respondent should leave the State of California to reside or to practice Respondent shall notify the Board or its designee in writing 30 calendar days prior to the dates of departure and return.

12. INTERVIEW WITH THE BOARD OR ITS DESIGNEE. Respondent shall be available in person upon request for interviews either at Respondent's place of business or at the probation unit office, with or without prior notice throughout the term of probation.

13. NON-PRACTICE WHILE ON PROBATION. Respondent shall notify the Board or its designee in writing within 15 calendar days of any periods of non-practice lasting more than 30 calendar days and within 15 calendar days of Respondent's return to practice. Non-practice is defined as any period of time Respondent is not practicing medicine in California as defined in Business and Professions Code sections 2051 and 2052 for at least 40 hours in a calendar month in direct patient care, clinical activity or teaching, or other activity as approved by the Board. All time spent in an intensive training program which has been approved by the Board or its designee shall not be considered non-practice. Practicing medicine in another state of the United States or Federal jurisdiction while on probation with the medical licensing authority of that state or

jurisdiction shall not be considered non-practice. A Board-ordered suspension of practice shall not be considered as a period of non-practice.

In the event Respondent's period of non-practice while on probation exceeds 18 calendar months, Respondent shall successfully complete a clinical training program that meets the criteria of Condition 18 of the current version of the Board's "Manual of Model Disciplinary Orders and Disciplinary Guidelines" prior to resuming the practice of medicine.

Respondent's period of non-practice while on probation shall not exceed two (2) years.

Periods of non-practice will not apply to the reduction of the probationary term.

Periods of non-practice will relieve Respondent of the responsibility to comply with the probationary terms and conditions with the exception of this condition and the following terms and conditions of probation: Obey All Laws; and General Probation Requirements.

14. COMPLETION OF PROBATION. Respondent shall comply with all financial obligations (e.g., restitution, probation costs) not later than 120 calendar days prior to the completion of probation. Upon successful completion of probation, Respondent's certificate shall be fully restored.

15. VIOLATION OF PROBATION. Failure to fully comply with any term or condition of probation is a violation of probation. If Respondent violates probation in any respect, the Board, after giving Respondent notice and the opportunity to be heard, may revoke probation and carry out the disciplinary order that was stayed. If an Accusation, or Petition to Revoke Probation, or an Interim Suspension Order is filed against Respondent during probation, the Board shall have continuing jurisdiction until the matter is final, and the period of probation shall be extended until the matter is final.

16. LICENSE SURRENDER. Following the effective date of this Decision, if Respondent ceases practicing due to retirement or health reasons or is otherwise unable to satisfy the terms and conditions of probation, Respondent may request to surrender his or her license. The Board reserves the right to evaluate Respondent's request and to exercise its discretion in determining whether or not to grant the request, or to take any other action deemed appropriate and reasonable under the circumstances. Upon formal acceptance of the surrender, Respondent

shall within 15 calendar days deliver Respondent's wallet and wall certificate to the Board or its designee and Respondent shall no longer practice medicine. Respondent will no longer be subject to the terms and conditions of probation. If Respondent re-applies for a medical license, the application shall be treated as a petition for reinstatement of a revoked certificate.

19. PROBATION MONITORING COSTS. Respondent shall pay the costs associated with probation monitoring each and every year of probation, as designated by the Board, which may be adjusted on an annual basis. Such costs shall be payable to the Medical Board of California and delivered to the Board or its designee no later than January 31 of each calendar year.

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Robert D. Blinder. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: 5/8/14

JEREMY GOODWIN, M.D.
Respondent

I have read and fully discussed with Respondent Jeremy Goodwin, M.D. the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 5/8/14

Robert D. Blinder
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Medical Board of California.

Dated: 5/8/14

KAMALA D. HARRIS
Attorney General of California
E. A. JONES III
Supervising Deputy Attorney General

Mara Faust

MARA FAUST
Deputy Attorney General
Attorneys for Complainant

SA2013308022
31822950.docx

Exhibit A

Accusation No. 02-2011-217447

KAMALA D. HARRIS
Attorney General of California
GAIL M. HEPPELL
Supervising Deputy Attorney General
MARA FAUST
Deputy Attorney General
State Bar No. 111729
1300 I Street, Suite 125
P.O. Box 944255
Sacramento, CA 94244-2550
Telephone: (916) 324-5358
Facsimile: (916) 327-2247
Attorneys for Complainant

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO April 13, 2012
BY ANALYST

BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against: **JEREMY GOODWIN, M.D.** **P.O. Box 1676** **Mt. Shasta, CA 96067-1676** **Physician's and Surgeon's Certificate No. G 76323** Respondent.	Case No. 02-2011-217447 **ACCUSATION**

MEDICAL BOARD OF CALIFORNIA
I do hereby certify that this document is a true and correct copy of the original on file in this office.
Signature
Custodian of records
Title
2/16/2017
Date

Complainant alleges:

PARTIES

1. Linda K. Whitney (Complainant) brings this Accusation solely in her official capacity as the Executive Director of the Medical Board of California, Department of Consumer Affairs.

2. On or about April 19, 1993, the Medical Board of California issued Physician's and Surgeon's Certificate Number G 76323 to Jeremy Goodwin, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought herein and will expire on February 28, 2015 unless renewed.

JURISDICTION

3. This Accusation is brought before the Medical Board of California (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2234 of the Code, states:

"The board shall take action against any licensee who is charged with unprofessional conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not limited to, the following:

"(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the violation of, or conspiring to violate any provision of this chapter.

"(b) Gross negligence.

"(c) Repeated negligent acts. To be repeated, there must be two or more negligent acts or omissions. An initial negligent act or omission followed by a separate and distinct departure from the applicable standard of care shall constitute repeated negligent acts.

"(1) An initial negligent diagnosis followed by an act or omission medically appropriate for that negligent diagnosis of the patient shall constitute a single negligent act.

"(2) When the standard of care requires a change in the diagnosis, act, or omission that constitutes the negligent act described in paragraph (1), including, but not limited to, a reevaluation of the diagnosis or a change in treatment, and the licensee's conduct departs from the applicable standard of care, each departure constitutes a separate and distinct breach of the standard of care.

"(d) Incompetence."

5. Section 2266 of the Code states: AThe failure of a physician and surgeon to maintain adequate and accurate records relating to the provision of services to their patients constitutes unprofessional conduct.@

DRUGS

6. Fentanyl, an opiate, is the chemical name and is a Schedule II controlled substance within the meaning of Health and Safety Code Section 11055(c)(8), and is a dangerous drug as defined in section 4022 of the Code.

7. Valium, a trade name for diazepam, is a Schedule IV controlled substance as defined in Health and Safety Code Section 11057, subdivision (d)(9), and is a dangerous drug as defined in section 4022 of the Code.

8. Morphine Sulfate, an opiate, is the chemical and is a Schedule II controlled substance within the meaning of Health and Safety Code Section 11055(b)(1)(L), and is a dangerous drug as defined in section 4022 of the Code.

9. Ambien, a trade name for zolpidem tartrate, is a Schedule IV controlled substance as defined in Health and Safety Code Section 11057, subdivision (d)(32), and is a dangerous drug as defined in section 4022 of the Code.

FIRST CAUSE FOR DISCIPLINE

(Gross Negligence)

10. Respondent is subject to disciplinary action under section 2234(b) in that he was grossly negligent in his treatment of patient B.L. The circumstances are as follows:

11. In or about June 20, 2002 through December 2, 2009 respondent was caring for a 65 year old female patient named, B.L.[1] More specifically respondent was managing patient B.L.'s pain through the delivery of opioid (narcotic) pain medication by intrathecal infusion pump. The intrathecal infusion consisted of a mixture of 8 mgs of fentanyl, with bupivacaine and clonidine delivered over a 24-hour period, each day, when the pump was refilled by respondent's medical assistant, once a month. Respondent also prescribed oral medication of Valium 10mg tid, Morphine sulfate 100mg, to use 1-2 prn, and Ambien 15 mg at night. In addition to the 8 mg of fentanyl through the pump infusion every 24 hours, patient B.L. would receive a bolus infusion of the solution over a 45 minute period with 1.6 mg of fentanyl once a month when she visited the respondent's office.

12. On December 1, 2009, respondent's medical assistant, L.W.,[2] gave patient B.L. a bolus infusion of 8 mg of fentanyl, rather than 1.6 mg. of fentanyl, (a full days supply of opiod narcotic delivered in 45 minutes), which was an error made in the programming of the pump. On this day, respondent saw patient B.L. after she left the examination room and was on her way to her automobile to go home. Patient B.L. became unusually sedated getting into her car, as a

---

[1] The patient's initials are given to protect her privacy but her full identify will be disclosed as part of discovery.

[2] The employees initials are given to protect her privacy.

passenger, and needed help all the way home. B.L. could not be aroused when she arrived home and had to be carried to her bed. The next day she was found dead in her bed. The coroner's report found potential toxic levels of fentanyl and morphine blood concentrations in B.L.'s body.

13. Respondent's action of allowing his unlicensed medical assistants to routinely refill and program the Medtronic SynchroMed Infusion pump resulted in the medical assistant performing procedures beyond her scope and training with respect to patient B.L. and such conduct constitutes an extreme departure from the standard of care in violation of section 2234(b) of the Code.

SECOND CAUSE FOR DISCIPLINE

(Gross Negligence)

14. Complainant realleges paragraphs 11-13 above and incorporates them by reference herein as though fully set forth.

15. Respondent is subject to disciplinary action under section 2234(b) in that he was grossly negligent in his treatment of patient B.L. in that he failed to review the infusion pump session data report from patient B.L.'s last pump refill constitutes an extreme departure from the standard of care.

THIRD CAUSE FOR DISCIPLINE

(Repeated Acts of Negligence)

16. Complainant realleges paragraphs 11-13 and 15 above and incorporates them by reference herein as though fully set forth.

17. Respondent is subject to disciplinary action under section 2234(c) in that Respondent's action of allowing his unlicensed medical assistants to routinely refill and program the Medtronic SynchroMed Infusion pump resulted in the medical assistant performing procedures beyond her scope and training with respect to patient B.L. along with his failure to review the infusion pump session data report from patient B.L.'s last pump refill constitutes repeated negligent acts.

18. Respondent prescribed MS Contin to patient B.L. on November 16, 2009, but the respondent failed to record the number of refills authorized. In B.L.'s medical record, respondent

or his staff stated that B.L. rarely used morphine, yet high levels of morphine were found in the deceased patient's system. Respondent's failure to clearly document what oral medication he prescribed and what medication he authorized refills on for patient B.L., particularly the morphine sulfate constitutes a departure from the standard of care.

FOURTH CAUSE FOR DISCIPLINE

(Failure to Maintain Adequate and Accurate Medical Records)

19. Complainant realleges paragraphs 11-13, 15, 17-18 above and incorporates them by reference herein as though fully set forth.

20. Respondent is subject to disciplinary action under section 2266 in that he failed to record any authorized refills for the oral medication he prescribed to patient B.L., particularly the Valium, Ambien, MS Contin, and morphine and such failure constitutes a violation of the Code.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Medical Board of California issue a decision:

1. Revoking or suspending Physician's and Surgeon's Certificate Number G 76323, issued to Jeremy Goodwin, M.D.;

2. Revoking, suspending or denying approval of Jeremy Goodwin, M.D.'s authority to supervise physician's assistants, pursuant to section 3527 of the Code;

3. Ordering Jeremy Goodwin, M.D. to pay the Medical Board of California, if placed on probation, the costs of probation monitoring;

4. Taking such other and further action as deemed necessary and proper.

DATED: April 3, 2013

LINDA K. WHITNEY
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

SA2013308022
31632265.doc