

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

In the Matter of the Accusation
Against:

George Roman Goy, M.D.

Case No. 800-2017-034306

Physician's and Surgeon's
Certificate No. G 73341

Respondent.

DECISION

The attached Stipulated Surrender of License and Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on DEC 29 2020.

IT IS SO ORDERED DEC 22 2020.

MEDICAL BOARD OF CALIFORNIA


For: ~~William Prasifka~~ Executive Director
REJI VARGHESE
DEPUTY DIRECTOR

1 XAVIER BECERRA
Attorney General of California
2 JUDITH T. ALVARADO
Supervising Deputy Attorney General
3 PEGGIE BRADFORD TARWATER
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7 *Attorneys for Complainant*

8
9 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

13 GEORGE ROMAN GOY, M.D.
201 6th Avenue
14 Venice Beach, CA 90291

15 Physician's and Surgeon's Certificate No. G
16 73341,

17 Respondent.

Case No. 800-2017-034306

OAH No. 2020060928

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

18
19 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
20 entitled proceedings that the following matters are true:

21 **PARTIES**

22 1. William Prasifka (Complainant) is the Executive Director of the Medical Board of
23 California (Board). He brought this action solely in his official capacity and is represented in this
24 matter by Xavier Becerra, Attorney General of the State of California, by Peggie Bradford
25 Tarwater, Deputy Attorney General.

26 2. George Roman Goy, M.D. (Respondent) is representing himself in this proceeding
27 and has chosen not to exercise his right to be represented by counsel.
28

1 Respondent hereby gives up his right to contest that cause for discipline exists based on those
2 charges.

3 10. Respondent agrees that if he ever petitions for reinstatement of his Physician's and
4 Surgeon's Certificate, all of the charges and allegations contained in Accusation No. 800-2017-
5 034306 shall be deemed true, correct and fully admitted by Respondent for purposes of any such
6 proceeding or any other licensing proceeding involving Respondent in the State of California.

7 11. Respondent understands that by signing this stipulation, he enables the Board to issue
8 an order accepting the surrender of his Physician's and Surgeon's Certificate without further
9 process.

10 CONTINGENCY

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

20 13. The parties understand and agree that Portable Document Format (PDF) and facsimile
21 copies of this Stipulated Surrender of License and Order, including PDF and facsimile signatures
22 thereto, shall have the same force and effect as the originals.

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

25 ORDER

26 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 73341, issued
27 to Respondent George Roman Goy, M.D., is surrendered and accepted by the Board.

28 ///

Exhibit A

Accusation No. 800-2017-034306

1 XAVIER BECERRA
Attorney General of California
2 JUDITH T. ALVARADO
Supervising Deputy Attorney General
3 PEGGIE BRADFORD TARWATER
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8

9 **BEFORE THE**
10 **MEDICAL BOARD OF CALIFORNIA**
11 **DEPARTMENT OF CONSUMER AFFAIRS**
12 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

Case No. 800-2017-034306

14 George Roman Goy, M.D.
201 6th Avenue
15 Venice Beach, CA 90291

A C C U S A T I O N

16 Physician's and Surgeon's Certificate
No. G 73341,

17 Respondent.
18

19
20 **PARTIES**

21 1. Christine J. Lally (Complainant) brings this Accusation solely in her official capacity
22 as the Interim Executive Director of the Medical Board of California, Department of Consumer
23 Affairs (Board).

24 2. On or about January 28, 1992, the Medical Board issued Physician's and Surgeon's
25 Certificate Number G 73341 to George Roman Goy, M.D. (Respondent). The Physician's and
26 Surgeon's Certificate expired on February 28, 2019, and has not been renewed.

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28 ///

1 JURISDICTION

2 3. This Accusation is brought before the Board, under the authority of the following
3 laws.

4 4. Business and Professions Code¹ (Code) section 2227 provides that a licensee who is
5 found guilty under the Medical Practice Act may have his or her license revoked, suspended for a
6 period not to exceed one year, placed on probation and required to pay the costs of probation
7 monitoring, or such other action taken in relation to discipline as the Board deems proper.

8 5. Section 2234 of the Code, states, in pertinent part:

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

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

13 (b) Gross negligence.

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

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

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

23 ¶ ¶

24 6. Section 2236 of the Code states:

25 (a) The conviction of any offense substantially related to the qualifications,
26 functions, or duties of a physician and surgeon constitutes unprofessional conduct
27 within the meaning of this chapter [Chapter 5, the Medical Practice Act]. The record
of conviction shall be conclusive evidence only of the fact that the conviction

28 ¹ All statutory references are to the Business and Professions Code (Code) unless
otherwise indicated.

1 occurred.

2 ¶ ¶

3 (d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is
4 deemed to be a conviction within the meaning of this section and Section 2236.1.
The record of conviction shall be conclusive evidence of the fact that the conviction
5 occurred.

6 7. Penal Code section 16 provides that crimes and public offenses include infractions,
7 misdemeanors, and felonies.

8 8. Section 2239 of the Code states:

9 (a) The use or prescribing for or administering to himself or herself, of any
10 controlled substance; or the use of any of the dangerous drugs specified in Section
11 4022, or of alcoholic beverages, to the extent, or in such a manner as to be dangerous
12 or injurious to the licensee, or to any other person or to the public, or to the extent that
such use impairs the ability of the licensee to practice medicine safely or more than
one misdemeanor or any felony involving the use, consumption, or
self-administration of any of the substances referred to in this section, or any
combination thereof, constitutes unprofessional conduct. The record of the
conviction is conclusive evidence of such unprofessional conduct.

13 (b) A plea or verdict of guilty or a conviction following a plea of nolo
14 contendere is deemed to be a conviction within the meaning of this section. The
15 Medical Board may order discipline of the licensee in accordance with Section 2227
16 or the Medical Board may order the denial of the license when the time for appeal has
17 elapsed or the judgment of conviction has been affirmed on appeal or when an order
granting probation is made suspending imposition of sentence, irrespective of a
18 subsequent order under the provisions of Section 1203.4 of the Penal Code allowing
such person to withdraw his or her plea of guilty and to enter a plea of not guilty, or
setting aside the verdict of guilty, or dismissing the accusation, complaint,
information, or indictment.

19 9. California Code of Regulations, title 16, section 1360, states:

20 For the purposes of denial, suspension or revocation of a license, certificate or
21 permit pursuant to Division 1.5 (commencing with Section 475) of the code, a crime
or act shall be considered to be substantially related to the qualifications, functions or
duties of a person holding a license, certificate or permit under the Medical Practice
Act if to a substantial degree it evidences present or potential unfitness of a person
22 holding a license, certificate or permit to perform the functions authorized by the
license, certificate or permit in a manner consistent with the public health, safety or
23 welfare. Such crimes or acts shall include but not be limited to the following:
Violating or attempting to violate, directly or indirectly, or assisting in or abetting the
24 violation of, or conspiring to violate any provision of the Medical Practice Act.

25 10. Section 820 of the Code states:

26 Whenever it appears that any person holding a license, certificate or permit
27 under this division or under any initiative act referred to in this division may be
unable to practice his or her profession safely because the licentiate's ability to
28 practice is impaired due to mental illness, or physical illness affecting competency,
the licensing agency may order the licentiate to be examined by one or more

1 physicians and surgeons or psychologists designated by the agency. The report of the
2 examiners shall be made available to the licentiate and may be received as direct
evidence in proceedings conducted pursuant to Section 822.

3 11. Section 822 of the Code states:

4 If a licensing agency determines that its licentiate's ability to practice his or her
5 profession safely is impaired because the licentiate is mentally ill, or physically ill
affecting competency, the licensing agency may take action by any one of the
6 following methods:

7 (a) Revoking the licentiate's certificate or license.

8 (b) Suspending the licentiate's right to practice.

9 (c) Placing the licentiate on probation.

10 (d) Taking such other action in relation to the licentiate as the licensing agency
in its discretion deems proper.

11 The licensing section shall not reinstate a revoked or suspended certificate or
12 license until it has received competent evidence of the absence or control of the
condition which caused its action and until it is satisfied that with due regard for the
13 public health and safety the person's right to practice his or her profession may be
safely reinstated.

14 **FIRST CAUSE FOR DISCIPLINE**

15 **(Gross Negligence)**

16 12. Respondent is subject to disciplinary action under Code section 2234, subdivision (b),
17 in that he was grossly negligent in the care and treatment of Patient A.² The circumstances are as
18 follows:

19 13. In August 2018, Respondent worked as an emergency department physician at Hemet
20 Valley Medical Center.

21 14. On August 13, 2018, Patient A, a 35-year-old female, arrived by ambulance at the
22 emergency department. The triage nurse documented shortness of breath, tachycardia and chest
23 pain off and on for a month and worsening with any activity. The patient reported a syncopal
24 episode the previous night. Patient A was assigned to Respondent for further care.

25 15. Per Respondent's documentation, the patient was concerned with shortness of breath,
26 occasional chest pains, and fatigue. On the date of the emergency department visit, the chest pain

27 ² Identifying patient information is not included to protect the patient's privacy. The
28 identity of Patient A is known to Respondent, and additional information relating to Patient A
will be provided to Respondent in response to a discovery request.

1 began abruptly, was characterized as sharp, and had been present continuously since onset. The
2 patient had no abdominal pain, no nausea or vomiting. No review of systems was documented
3 for the genital and urinary organs. Patient A was documented as having been on contraceptives.
4 Her vital signs during the course of her emergency department visit demonstrated tachycardia,
5 with heart rate readings of 108, 110 and 105.

6 16. Respondent's differential diagnoses included myocardial infarction, electrolyte
7 abnormality, anemia, or pregnancy.

8 17. Upon receiving lab results showing an elevated white blood cell count and bacteria in
9 the urine, Respondent diagnosed Patient A with a urinary tract infection. Hydration was
10 provided, an antibiotic prescription was given, and the patient was instructed to follow up in two
11 to three days with her primary care physician.

12 18. The following day, Patient A was treated at Loma Linda Medical Center and
13 diagnosed with bilateral pulmonary embolism, or blood clots in the lungs.

14 19. Patient A was at risk for pulmonary embolism given her contraceptive use and the
15 presence of tachycardia on examination. The standard of care required consideration of
16 pulmonary embolism as a possible diagnosis. Respondent failed to utilize criteria established for
17 calculating the risk of pulmonary embolism, failed to use a D-dimer³ measurement to assess the
18 risk of pulmonary embolism or imaging studies, such as ultrasound of the legs or CT scan
19 angiography of the chest, to rule out the presence of pulmonary embolism.

20 20. Respondent was grossly negligent in failing to exclude a diagnosis of pulmonary
21 embolism in his care and treatment of Patient A.

22 **SECOND CAUSE FOR DISCIPLINE**

23 **(Repeated Negligent Acts)**

24 21. Respondent is subject to disciplinary action under Code section 2234, subdivision (c),
25 in that he committed repeated negligent acts. The circumstances are as follows:

26 _____
27 ³ A D-dimer test is a blood test that can be used to help rule out the presence of a serious
28 blood clot. D-dimer is a protein fragment from the breakdown of a blood clot. Blood clots
generally start to slowly break down after they are formed, and this process releases D-dimer into
the blood.

1 22. The allegations in the First Cause for Discipline are incorporated as if fully set forth.

2 23. Respondent was negligent in diagnosing Patient A with a urinary tract infection
3 without addressing her complaints of shortness of breath and chest pain.

4 **THIRD CAUSE FOR DISCIPLINE**

5 (Conviction of a Crime)

6 24. Respondent is subject to disciplinary action under Code sections 2234, subdivision
7 (a), and 2236, California Code of Regulations, title 16, section 1360, in that he was convicted of
8 crimes within the meaning of Penal Code section 16 that are substantially related to the
9 qualifications, functions or duties of a physician and surgeon.

10 **Conviction for Malicious Disturbance**

11 25. On June 19, 2017, an officer with the Palm Springs Police Department responded to a
12 call of a possibly intoxicated man in a parking lot. The officer contacted Respondent in the
13 parking lot of a Vons Store. Respondent was sitting on the ground resting against his vehicle.
14 Respondent exhibited signs of intoxication and did not appear able to care for himself. He was
15 arrested for a violation of Penal Code section 647, subdivision (f), being intoxicated in public and
16 unable to care for his own safety or the safety of others.

17 26. Respondent was charged in Riverside County Superior Court Case No. INM1704581
18 with a violation of Penal Code section 647, subdivision (f). The complaint was amended to add a
19 charge of malicious disturbance in violation of Penal Code section 415(2), an infraction.

20 27. On October 17, 2018, Respondent pled guilty to malicious disturbance in violation of
21 Penal Code section 415(2). He was ordered to pay a fine of \$425.00.

22 **Conviction for Driving Under the Influence with a Prior Conviction**

23 28. On July 31, 2017, at approximately 3:45 p.m., police officers with the Palm Springs
24 Police Department responded to a call of a non-injury traffic collision occurring in a parking lot.
25 Officers observed a male, later identified as Respondent, sitting in the driver's seat of a Prius. He
26 appeared to be sleeping. The vehicle's motor was running, and loud music was playing. Inside
27 the vehicle was a nearly empty bottle of vodka. An empty vodka bottle was also seen on the
28 floorboard of the front passenger side of the vehicle. Officers tapped on the window to wake

1 Respondent and instructed him to open the door. Respondent exited the vehicle but was unable to
2 stand without support. He exhibited signs of intoxication and was placed under arrest.

3 Respondent's blood-test results indicated a .312 BAC.

4 29. Respondent was charged in Riverside Superior Court Case No. INM1707180 with
5 unlawfully driving a vehicle while under the influence of alcohol in violation of Vehicle Code
6 section 23152, subdivision (a), and with unlawfully driving a vehicle while having a .08 percent
7 and more of alcohol in blood in violation of Vehicle Code section 23152, subdivision (b). It was
8 alleged as to both charges that Respondent was previously convicted of Vehicle Code section
9 23103.5, reckless driving with the consumption of alcohol, a misdemeanor, in Los Angeles
10 County Superior Court Case No. LAX1WA3314501. It was further alleged that Respondent had
11 a blood alcohol concentration of .15 or more and/or that he refused to take a breath or urine test
12 within the meaning of Vehicle Code section 23578, and that he had a blood alcohol concentration
13 of .20 and more within the meaning of Vehicle Code section 23538.

14 30. On November 21, 2017, Respondent enrolled in a continuous alcohol monitoring
15 program.

16 31. On January 28, 2019, Respondent pled guilty to unlawfully driving a vehicle while
17 having a .08 percent and more of alcohol in blood, in violation of Vehicle Code section 23152,
18 subdivision (b). He admitted the special allegations, including the allegation that he had
19 previously sustained a conviction for an alcohol-related misdemeanor.

20 32. On March 1, 2019, Respondent was sentenced to 60 months of summary probation.
21 He was ordered to serve 86 days in a work release program. He was ordered to abstain from the
22 use of alcohol, not to drive with any measurable amount of alcohol or drugs in his blood, submit
23 to a blood, breath, or urine test if requested by probation or a law enforcement officer, install an
24 ignition interlock device and maintain it for a period of 12 months from the date of reinstatement
25 of his driving privilege, complete an impaired driver program, complete an alcohol monitoring
26 program, use an ankle monitor for 90 days, attend 60 meetings of Alcoholic Anonymous,
27 complete a Mothers Against Drunk Driving program, and pay fines and penalties.

28 33. Respondent's prior convictions in Riverside Superior Court Case Nos. INM1704581

1 and INM1707180, and Los Angeles County Superior Court Case No. LAX1WA3314501,
2 individually and together are substantially related to the practice of medicine.

3 **FOURTH CAUSE FOR DISCIPLINE**

4 **(Dangerous use of Alcohol)**

5 34. Respondent is subject to disciplinary action under Code section 2239 in that he used
6 alcohol in such a manner as to be dangerous or injurious to him or to the public and/or that
7 Respondent sustained two misdemeanor convictions involving the consumption of alcohol. The
8 circumstances are as follows:

9 35. The allegations of the Third Cause for Discipline are incorporated as if fully set forth.

10 **FIFTH CAUSE FOR DISCIPLINE**

11 **(Illness Affecting Competency)**

12 36. Respondent is subject to disciplinary action under Code sections 820 and 822 in that
13 he is unable to practice medicine safely due to an illness. The circumstances are as follows:

14 37. The allegations in the Third and Fourth Causes for Discipline are incorporated as if
15 fully set forth.

16 38. On August 26, 2019, Respondent signed a voluntary agreement to undergo a mental
17 evaluation, pursuant to Code section 820.

18 39. On September 17, 2019, Respondent underwent a comprehensive psychiatric
19 evaluation with N.L., M.D. Respondent was diagnosed with an alcohol use disorder which
20 renders him unable to practice medicine safely.

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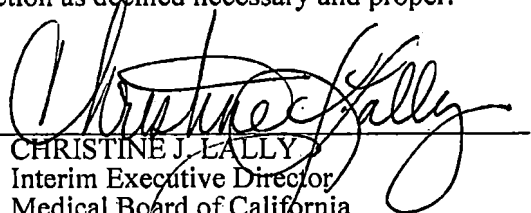
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PRAYER

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 73341, issued to Respondent George Roman Goy, M.D.;
2. Revoking, suspending or denying approval of Respondent's authority to supervise physician assistants and advanced practice nurses;
3. Ordering Respondent, if placed on probation, to pay the Board the costs of probation monitoring; and
4. Taking such other and further action as deemed necessary and proper.

DATED: MARCH 12, 2020


CHRISTINE J. LALLY
Interim Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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