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. Physician's and Surgeon's Certificate No. G 73341 Respondent.	Case No. 800-2017-034306

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

REJI VARGHESE
DEPUTY DIRECTOR

For: William Prasifka
Executive Director

XAVIER BECERRA
Attorney General of California
JUDITH T. ALVARADO
Supervising Deputy Attorney General
PEGGIE BRADFORD TARWATER
Deputy Attorney General
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Attorneys for Complainant

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. 201 6th Avenue Venice Beach, CA 90291 Physician's and Surgeon's Certificate No. G 73341, Respondent.	Case No. 800-2017-034306 OAH No. 2020060928 **STIPULATED SURRENDER OF LICENSE AND 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. William Prasifka (Complainant) is the Executive Director of the Medical Board of California (Board). He brought this action solely in his official capacity and is represented in this matter by Xavier Becerra, Attorney General of the State of California, by Peggie Bradford Tarwater, Deputy Attorney General.

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

3. On or about January 28, 1992, the Board issued Physician's and Surgeon's Certificate No. G 73341 to Respondent. The Physician's and Surgeon's Certificate expired on February 28, 2019, and has not been renewed.

JURISDICTION

4. Accusation No. 800-2017-034306 was filed before the Board, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on March 12, 2020. Respondent timely filed his Notice of Defense contesting the Accusation. A copy of Accusation No. 800-2017-034306 is attached as Exhibit A and incorporated by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 800-2017-034306. Respondent also has carefully read, and understands the effects of this Stipulated Surrender of License and Order.

6. 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 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.

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

CULPABILITY

8. Respondent understands that the charges and allegations in Accusation No. 800-2017-034306, if proven at a hearing, constitute cause for imposing discipline upon his Physician's and Surgeon's Certificate.

9. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual basis for the charges in the Accusation and that those charges constitute cause for discipline.

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

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

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

CONTINGENCY

12. This stipulation shall be subject to approval by the Board. Respondent understands and agrees that counsel for Complainant and the staff of the Board may communicate directly with the Board regarding this stipulation and surrender, 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 Surrender 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.

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

14. 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 Order:

ORDER

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

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1. The surrender of Respondent's Physician's and Surgeon's Certificate and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board.

2. Respondent shall lose all rights and privileges as a physician and surgeon in California as of the effective date of the Board's Decision and Order.

3. Respondent shall cause to be delivered to the Board his pocket license and, if one was issued, his wall certificate on or before the effective date of the Decision and Order.

ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: 12/8/20

GEORGE ROMAN GOY, M.D.
Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Medical Board of California of the Department of Consumer Affairs.

DATED: _____

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
JUDITH T. ALVARADO
Supervising Deputy Attorney General

PEGGIE BRADFORD TARWATER
Deputy Attorney General
Attorneys for Complainant

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1. The surrender of Respondent's Physician's and Surgeon's Certificate and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board.

2. Respondent shall lose all rights and privileges as a physician and surgeon in California as of the effective date of the Board's Decision and Order.

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ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: _____

GEORGE ROMAN GOY, M.D.
Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Medical Board of California of the Department of Consumer Affairs.

DATED: Dec. 8, 2020

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
JUDITH T. ALVARADO
Supervising Deputy Attorney General

Peggie B. Tarwater
Digitally signed by Peggie B. Tarwater
Date: 2020.12.08 10:41:51 -08'00'

PEGGIE BRADFORD TARWATER
Deputy Attorney General
Attorneys for Complainant

LA2019505668

Exhibit A

Accusation No. 800-2017-034306

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Attorneys for Complainant

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. 201 6th Avenue Venice Beach, CA 90291 Physician's and Surgeon's Certificate No. G 73341, Respondent.	Case No. 800-2017-034306 **A C C U S A T I O N**

PARTIES

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

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

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JURISDICTION

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

4. Business and Professions Code[1] (Code) section 2227 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.

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

> 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.
>
> ¶ . . . . ¶

6. Section 2236 of the Code states:

> (a) The conviction of any offense substantially related to the qualifications, functions, or duties of a physician and surgeon constitutes unprofessional conduct 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

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

occurred.

¶ . . . ¶

(d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is 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 occurred.

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

8. Section 2239 of the Code states:

(a) The use or prescribing for or administering to himself or herself, of any controlled substance; or the use of any of the dangerous drugs specified in Section 4022, or of alcoholic beverages, to the extent, or in such a manner as to be dangerous 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.

(b) A plea or verdict of guilty or a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning of this section. The Medical Board may order discipline of the licensee in accordance with Section 2227 or the Medical Board may order the denial of the license when the time for appeal has 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 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.

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

For the purposes of denial, suspension or revocation of a license, certificate or 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 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 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 violation of, or conspiring to violate any provision of the Medical Practice Act.

10. Section 820 of the Code states:

Whenever it appears that any person holding a license, certificate or permit 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 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

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

11. Section 822 of the Code states:

If a licensing agency determines that its licentiate's ability to practice his or her 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 following methods:

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

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

(c) Placing the licentiate on probation.

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

The licensing section shall not reinstate a revoked or suspended certificate or 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 public health and safety the person's right to practice his or her profession may be safely reinstated.

FIRST CAUSE FOR DISCIPLINE

(Gross Negligence)

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

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

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

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

[2] Identifying patient information is not included to protect the patient's privacy. The 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.

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

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

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

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

19. Patient A was at risk for pulmonary embolism given her contraceptive use and the presence of tachycardia on examination. The standard of care required consideration of pulmonary embolism as a possible diagnosis. Respondent failed to utilize criteria established for calculating the risk of pulmonary embolism, failed to use a D-dimer[3] measurement to assess the risk of pulmonary embolism or imaging studies, such as ultrasound of the legs or CT scan angiography of the chest, to rule out the presence of pulmonary embolism.

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

SECOND CAUSE FOR DISCIPLINE

(Repeated Negligent Acts)

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

[3] A D-dimer test is a blood test that can be used to help rule out the presence of a serious 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.

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

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

THIRD CAUSE FOR DISCIPLINE

(Conviction of a Crime)

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

Conviction for Malicious Disturbance

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

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

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

Conviction for Driving Under the Influence with a Prior Conviction

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

Respondent and instructed him to open the door. Respondent exited the vehicle but was unable to stand without support. He exhibited signs of intoxication and was placed under arrest. Respondent's blood-test results indicated a .312 BAC.

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

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

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

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

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

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

FOURTH CAUSE FOR DISCIPLINE

(Dangerous use of Alcohol)

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

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

FIFTH CAUSE FOR DISCIPLINE

(Illness Affecting Competency)

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

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

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

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

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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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