

STATE OF OHIO
THE STATE MEDICAL BOARD OF OHIO
65 SOUTH FRONT STREET
SUITE 510
COLUMBUS, OHIO 43266-0315

September 11, 1987

Roy D. Goodwin, M.D.
Twelve North Lincoln Street
Wilmington, Ohio 45177

Dear Doctor Goodwin:

Please find enclosed certified copies of the Entry of Order; the Report and Recommendation of Lauren Lubow, Hearing Officer, State Medical Board; a certified copy of the Motions by the State Medical Board, meeting in regular session on September 9, 1987, approving and confirming said Report and Recommendation as the Findings and Order of the State Medical Board.

Section 119.12, Ohio Revised Code, may authorize an appeal from this Order. Such an appeal may be taken to the Franklin County Court of Common Pleas only.

Such an appeal setting forth the Order appealed from and the grounds of the appeal must be commenced by the filing of a Notice of Appeal with the State Medical Board of Ohio and the Franklin County Court of Common Pleas within fifteen (15) days after the mailing of this notice and in accordance with the requirements of Section 119.12 of the Ohio Revised Code.

THE STATE MEDICAL BOARD OF OHIO


Henry G. Cramblett, M.D.
Secretary

HGC:em
Enclosures

CERTIFIED MAIL NO. P 158 073 907
RETURN RECEIPT REQUESTED

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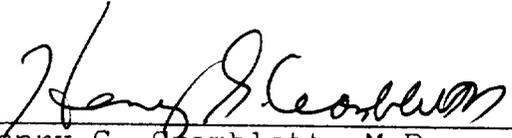
STATE MEDICAL BOARD OF OHIO

CERTIFICATION

I hereby certify that the attached copy of the Entry of Order of the State Medical Board of Ohio; attached copy of the Report and Recommendation of Lauren Lubow, Hearing Officer, State Medical Board of Ohio; attached copy of the Motions by the State Medical Board, meeting in regular session on September 9, 1987, approving and confirming said Report and Recommendation as the Findings and Order of the State Medical Board, constitutes a true and complete copy of the Findings and Order of the State Medical Board in the matter of Roy D. Goodwin, M.D., as it appears in the Journal of the State Medical Board of Ohio.

This certification is made by authority of the State Medical Board and in its behalf.

(SEAL)



Henry G. Cramblett, M.D.
Secretary

9/11/87

Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF *

 *

ROY D. GOODWIN, M.D. *

ENTRY OF ORDER

This matter came on for consideration before the State Medical Board of Ohio the 9th day of September, 1987.

Upon the Report and Recommendation of Lauren Lubow, Hearing Officer, State Medical Board, in this matter designated pursuant to R.C. 119.09, a true copy of which is attached hereto and incorporated herein, which Report and Recommendation was approved and confirmed by vote of the Board on the above date, the following Order is hereby entered on the Journal of the State Medical Board for the 9th day of September, 1987.

It is hereby ORDERED:

That the license of Roy D. Goodwin, M.D., to practice medicine and surgery in the State of Ohio be **SUSPENDED FOR AN INDEFINITE TERM**, which shall last a minimum of thirty (30) days, provided that he complies with the following terms and conditions:

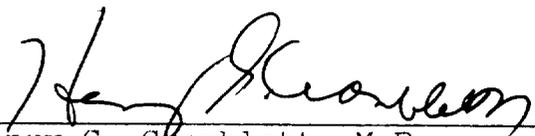
1. Prior to reinstatement, Dr. Goodwin shall:
 - A. Provide documentation acceptable to the Board of satisfactory completion of at least eight (8) hours of Category I C.M.E. These hours shall not be used to satisfy the C.M.E. requirements for any biennium other than the 1983-1984 biennium.
 - B. Provide documentation acceptable to the Board of satisfactory completion of 100 hours of approved Continuing Medical Education, at least 40 hours of which shall be in Category I, for the 1985 and 1986 biennium.

Roy D. Goodwin, M.D.

- C. For each additional biennium during which his license is suspended for more than one year, Dr. Goodwin shall provide documentation of satisfactory completion of the requisite hours of CME.
 - D. Submit an application for reinstatement and pay all appropriate fees.
2. Subsequent to reinstatement of his certificate, Dr. Goodwin shall remain on probation for three (3) biennial registration periods. During this probationary term, Dr. Goodwin shall:
- A. Obey all federal, state and local laws and all rules governing the practice of medicine in Ohio; and
 - B. Submit documentation acceptable to the Board of satisfactory completion of the requisite hours of Continuing Medical Education.

This ORDER shall become effective thirty (30) days from the date of mailing of notification of approval by the State Medical Board of Ohio.

(SEAL)



Henry G. Cramblett, M.D.
Secretary

9/11/87

Date

STATE OF OHIO
THE STATE MEDICAL BOARD

REPORT AND RECOMMENDATION
IN THE MATTER OF ROY D. GOODWIN, M.D.

The matter of Roy D. Goodwin, M.D., came on for hearing before me, Lauren Lubow, Esq., Hearing Officer for the State Medical Board of Ohio, on November 7, 1986.

INTRODUCTION AND SUMMARY OF EVIDENCE

I. Appearance of Counsel

- A. On behalf of the State of Ohio: Anthony J. Celebrezze, Jr., Attorney General, by Christopher J. Costantini, Legal Intern, and Christopher M. Culley, Assistant Attorney General.
- B. The Respondent, Roy D. Goodwin, M.D., appeared on his own behalf, having been duly advised of his right to counsel.

II. Jurisdiction

The hearing was conducted pursuant to the authority vested in the State Medical Board of Ohio by Chapters 119. and 4731. of the Ohio Revised Code and Chapters 4731-1 through 4731-11 of the Ohio Administrative Code.

III. Basis for the Hearing

By letter of May 14, 1986, the State Medical Board of Ohio notified Roy D. Goodwin, M.D., that it proposed to take disciplinary action against his license to practice medicine and surgery in the State of Ohio by reason of his allegedly having engaged in conduct contrary to and in violation of Sections 4731.281, 4731.22(B)(16), and 4731.22(A), Ohio Revised Code, and further in violation of Rule 4731-10-03 of the Ohio Administrative Code, to wit:

1. Failing to complete at least 40 hours of Category I Continuing Medical Education during the preceding biennium (1983-1984).
2. Violating or attempting to violate, directly or indirectly any provisions of Chapter 4731., Ohio Revised Code, or any rule promulgated by the Board by his failure to obtain the requisite C.M.E. hours.

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3. Engaging in conduct which constituted fraud, misrepresentation or deception in applying for or securing a license to practice medicine and surgery by having certified that he had completed the requisite C.M.E. hours in order to obtain renewal of his license, when in fact, he had not completed the requisite C.M.E.

IV. Testimony Heard

The only witness called and testifying was Roy D. Goodwin, M.D., who having been called on behalf of the State testified as follows:

1. That at all times relevant he was engaged in the private practice of medicine in Wilmington, Ohio. (Tr. at page 7, lines 11-18)
2. That in October, 1984, he filed an application for renewal of his license (State's Exhibit #8) in which he certified that he had completed the requisite C.M.E. hours.
3. That in response to a C.M.E. audit he advised the Board by letter dated December 7, 1985 (State's Exhibit #5) that he had not obtained the requisite C.M.E. Category I hours. (Tr. at page 8, lines 15 through page 9, line 5)
4. That in 1982 he attended a meeting abroad which carried 31 or 32 Category I C.M.E. credits. (Tr. at page 10, lines 5 through 10)
5. That in 1983 he attended a meeting abroad which carried no C.M.E. credits. (Tr. at page 10, lines 11 through 17)
6. That in completing his application for licensure renewal he inadvertently referred to the wrong C.M.E. credit papers, thereby erroneously certifying his C.M.E. hours for the 1983-1984 biennium. (Tr. at p. 10, lines 5-19)
7. That his actions in certifying the incorrect number of C.M.E. credit hours was the result of a bookkeeping error. (Tr. at p. 11, lines 6-12)

V. Exhibits Examined

A. Presented by the State

1. State's Exhibit #1: September 24, 1986 letter from the Board to Dr. Goodwin scheduling Dr. Goodwin's hearing for November 7, 1986.

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2. State's Exhibit #2: May 30, 1986 letter from the Board to Dr. Goodwin acknowledging receipt of his request for hearing, scheduling said hearing for June 6, 1986, and continuing same pursuant to Section 119.09, Ohio Revised Code.
3. State's Exhibit #3: May 22, 1986 letter from Roy D. Goodwin, M.D., to the Board requesting a hearing.
4. State's Exhibit #4: May 14, 1986 citation letter from the Board to Dr. Goodwin advising him of the allegations against him and advising him of his right to a hearing.
5. State's Exhibit #5: December 7, 1985 letter from Roy D. Goodwin, M.D., to the Board advising the Board that he had earned only 28 Category I C.M.E. credits and that his certification of having obtained a greater number of C.M.E. hours was the result of erroneous bookkeeping.
6. State's Exhibit #6: November 22, 1985 letter from Carolyn J. Baur, Executive Secretary to the Medical Staff, Clinton Memorial hospital, to Roy D. Goodwin, M.D., advising Dr. Goodwin that he had accumulated 28 hours of C.M.E. credits during the 1983-1984 biennium.
7. State's Exhibit #7: Log of Continuing Medical Education bearing the signature of Roy D. Goodwin, M.D., dated December 7, 1985 and certifying to the Board that Dr. Goodwin had earned 62 Category I C.M.E. credits during the 1983-1984 biennium.
8. State's Exhibit #8: A copy of an application for renewal of license to practice medicine bearing the signature of Roy D. Goodwin, M.D., dated October 10, 1984, and certifying that the applicant had completed the requisite hours of C.M.E. in the previous biennium.

B. No exhibits were offered by the Respondent.

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FINDINGS OF FACT

1. In furtherance of his application to renew his license to practice medicine and surgery, on October 10, 1984 Roy D. Goodwin, M.D., certified to the Board that he had completed the requisite C.M.E. during the 1983-1984 biennium.

This fact is established by State's Exhibit #8 and the testimony of Dr. Goodwin at page 8, lines 5-14 of the transcript.

2. On December 10, 1985, Dr. Goodwin caused to be filed with the Board a Log of Continuing Medical Education bearing his signature and further certifying that he had completed 62 credits of Category I C.M.E.

This fact is established by State's Exhibit #7.

3. During the 1983-1984 biennium Dr. Goodwin earned only 32 Category I hours of C.M.E.

This fact is established by State's Exhibits #5, #6, and #7, and the testimony of Dr. Goodwin at page 9, lines 2-10, inclusive of the transcript.

4. During the 1983-1984 biennium Dr. Goodwin failed to earn the requisite Category I C.M.E. hours.

This fact is established by State's Exhibits #5, #6, and #7.

CONCLUSIONS OF LAW

1. Dr. Goodwin violated Section 4731.281, Ohio Revised Code and Rule 4731-10-03, Ohio Administrative Code, by failing to complete the requisite hours of Category I continuing medical education within the 1983-1984 biennium.
2. Dr. Goodwin violated Section 4731.22(B)(16), Ohio Revised Code by his failure to comply with the requirements of Section 4731.281, Ohio Revised Code and Rule 4731-10-03, Ohio Administrative Code which mandate the completion of continuing medical education within the preceding biennium.
3. Dr. Goodwin violated Section 4731.22(A) by reason of his having misrepresented to the Board that he had completed the required hours of continuing medical education, when, in fact, he had not done so.

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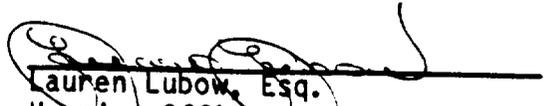
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MEDICAL BOARD

PROPOSED ORDER

It is hereby ORDERED that the license of Roy D. Goodwin, M.D., to practice medicine and surgery in the State of Ohio be suspended for an indefinite term, which shall last a minimum of thirty (30) days, provided that he complies with the following terms and conditions:

1. Prior to reinstatement, Dr. Goodwin shall:
 - A. Provide documentation acceptable to the Board of satisfactory completion of at least eight (8) hours of Category I C.M.E. These hours shall not be used to satisfy the C.M.E. requirements for any biennium other than the 1983-1984 biennium.
 - B. Provide documentation acceptable to the Board of satisfactory completion of 100 hours of approved Continuing Medical Education, at least 40 hours of which shall be in Category I, for the 1985 and 1986 biennium.
 - C. For each additional biennium during which his license is suspended for more than one year, Dr. Goodwin shall provide documentation of satisfactory completion of the requisite hours of CME.
 - D. Submit an application for reinstatement and pay all appropriate fees.
2. Subsequent to reinstatement of his certificate, Dr. Goodwin shall remain on probation for three (3) biennial registration periods. During this probationary term, Dr. Goodwin shall:
 - A. Obey all federal, state and local laws and all rules governing the practice of medicine in Ohio; and
 - B. Submit documentation acceptable to the Board of satisfactory completion of the requisite hours of Continuing Medical Education.

This ORDER shall become effective thirty (30) days from the date of mailing of notification of approval by the State Medical Board of Ohio.


Lauren Lubow, Esq.
Hearing Officer
State Medical Board of Ohio

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OHIO
MEDICAL BOARD

EXCERPT FROM THE MINUTES OF SEPTEMBER 9, 1987

REPORTS AND RECOMMENDATIONS

Mr. Culley and Ms. Nestor left the meeting at this time.

Dr. Stephens asked if each member of the Board had received, read, and considered the hearing record, the proposed findings, conclusions, and orders, and any objections filed in the matters of Dr. Roy D. Goodwin, Dr. Bashar Kahaleh, Dr. Prasad Athota, Dr. Robert Green, Dr. Joseph C. Woofter, Dr. Nilda Lopez-Mata, and Dr. Robert L. Westerheide. A roll call was taken:

ROLL CALL:	Dr. Cramblett	- aye
	Dr. Lancione	- aye
	Dr. Barnes	- aye
	Dr. Buchan	- aye
	Dr. Lovshin	- aye
	Dr. Rothman	- nay
	Dr. Rauch	- aye
	Mr. Albert	- aye
	Dr. O'Day	- aye
	Ms. Rolfes	- aye
	Mr. Johnston	- abstain
	Dr. Stephens	- aye

Dr. Rothman stated that he will abstain from matters concerning Dr. Joseph C. Woofter and Dr. Robert L. Westerheide because he did not read the materials.

REPORT AND RECOMMENDATION IN THE MATTER OF ROY D. GOODWIN, M.D.

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DR. BARNES MOVED TO APPROVE AND CONFIRM MS. LUBOW'S FINDINGS OF FACT AND CONCLUSIONS IN THE MATTER OF ROY D. GOODWIN, M.D. DR. LOVSHIN SECONDED THE MOTION. A roll call vote was taken:

ROLL CALL VOTE:	Dr. Cramblett	- abstain
	Dr. Lancione	- aye
	Dr. Barnes	- aye
	Dr. Buchan	- aye
	Dr. Lovshin	- aye
	Dr. Rothman	- aye
	Dr. Rauch	- aye
	Mr. Albert	- aye
	Dr. O'Day	- aye
	Ms. Rolfes	- aye
	Mr. Johnston	- abstain

The motion carried.

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EXCERPT FROM THE MINUTES OF SEPTEMBER 9, 1987
REGARDING ROY D. GOODWIN, M.D.
PAGE 2

DR. LANCIONE MOVED TO APPROVE AND CONFIRM MS. LUBOW'S PROPOSED ORDER IN THE MATTER OF ROY D. GOODWIN, M.D. DR. RAUCH SECONDED THE MOTION. A roll call vote was taken:

ROLL CALL VOTE:	Dr. Cramblett	- abstain
	Dr. Lancione	- aye
	Dr. Barnes	- aye
	Dr. Buchan	- aye
	Dr. Lovshin	- aye
	Dr. Rothman	- aye
	Dr. Rauch	- aye
	Mr. Albert	- aye
	Dr. O'Day	- aye
	Ms. Rolfes	- aye
	Mr. Johnston	- abstain

The motion carried.

STATE OF OHIO
THE STATE MEDICAL BOARD
Suite 510
65 South Front Street
Columbus, Ohio 43266-0315

May 14, 1986

Roy D. Goodwin, M.D.
Twelve North Lincoln Street
Wilmington, Ohio 45177

Dear Doctor Goodwin:

In accordance with Chapter 119., Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio intends to determine whether or not to limit, revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery, or to reprimand or place you on probation, for one or more of the following reasons:

1. In completing your renewal application card for registration of your certificate to practice medicine or surgery for the current biennial registration period, you did certify that you completed during the last biennium the requisite hours of continuing medical education, as required by Section 4731.281, Ohio Revised Code.
2. By letter received in your office on November 20, 1985, the State Medical Board instructed you to provide documentation of your continuing medical education. You were able to document only thirty-two (32) hours of Category I credit completed by you during the last biennium. The Continuing Medical Education Program certified by the Ohio State Medical Association and approved by the State Medical Board of Ohio pursuant to Section 4731.281, Ohio Revised Code, a copy of which program is attached hereto and incorporated by reference herein, requires the completion of one hundred (100) hours of Continuing Medical Education, at least forty (40) hours of which shall be in Category I.

Your failure to complete the requisite Continuing Medical Education, as alleged in the above Paragraph (2), constitutes a violation of Section 4731.281, Ohio Revised Code.

Further, such failure to obtain the requisite Continuing Medical Education constitutes "violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate any provisions of (Chapter 4731., Ohio Revised Code) or any rule promulgated by the Board", as that clause is used in Section 4731.22(B)(16), Ohio Revised Code, to wit: Section 4731.281, Ohio Revised Code, and Rule 4731-10-03, Ohio Administrative Code.

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THE STATE MEDICAL BOARD

Page Two
Roy D. Goodwin, M.D.

May 14, 1986

Further, your acts in certifying to the State Medical Board that you had completed the statutorily required continuing medical education, as set forth in the above Paragraph (1), when you had not, in fact, done so, constitutes "fraud, misrepresentation, or deception in applying for or securing any license or certificate issued by the Board," as that clause is used in Section 4731.22(A), Ohio Revised Code.

Pursuant to Chapter 119., Ohio Revised Code, you are hereby advised that you are entitled to a hearing in this matter. If you wish to request such hearing, that request must be made within thirty (30) days of the time of mailing of this notice.

You are further advised that you are entitled to appear at such hearing in person, or by your attorney, or you may present your position, arguments, or contentions in writing, and that at the hearing you may present evidence and examine witnesses appearing for or against you.

In the event that there is no request for such hearing made within thirty (30) days of the time of mailing of this notice, the State Medical Board may, in your absence and upon consideration of this matter, determine whether or not to limit, revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery or to reprimand or place you on probation.

Copies of Sections 4731.22 and 4731.281, Ohio Revised Code, and Rule 4731-10-03, Ohio Administrative Code, are enclosed for your information and review.

Very truly yours,



Henry G. Cramblett, M.D.
Secretary

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enclosures

CERTIFIED MAIL RECEIPT NO. P 569 364 779
RETURN RECEIPT REQUESTED

Chapter 4731-10

License Registration and Reinstatement

Note: Chapter 4731-10 of the Administrative Code was filed pursuant to Chapter 119 of the Revised Code.

4731-10-01	Definitions
4731-10-03	Continuing medical education requirements for registration or reinstatement of a license
4731-10-04	Continuing medical education requirements for restoration of a license
4731-10-05	Out-of-state licensees
4731-10-06	Retired or non-working licensees
4731-10-07	Internships, residencies, and fellowships
4731-10-08	Evidence of continuing medical education
4731-10-09	Reduction of continuing medical education hours
4731-10-10	Continuing medical education requirement for mid-term licensees
4731-10-11	Continuing medical education requirements following license restoration
4731-10-12	Licensure after cutoff for preparation of registration notices
4731-10-13	Notice of rejection
4731-10-14	Proposal to deny registration, reinstatement, or restoration; notice of hearing rights

4731-10-01 Definitions

(A) As used in Chapter 4731-10 of the Administrative Code, the following definitions are applicable:

(1) A "license" is the legal authorization from the state medical board to practice medicine or surgery, osteopathic medicine and surgery, or podiatry in Ohio.

(2) A "certificate of registration" means the document issued by the state medical board which evidences an individual's license to practice medicine or surgery, osteopathic medicine and surgery, or podiatry in Ohio during a specific registration period.

(3) "License registration" is the extension of a current license by fulfilling the requirements of section 4731.281 of the Revised Code and this chapter of the Administrative Code.

(4) "License reinstatement" is the return of a license which has lapsed or been in a suspended or inactive status for two years or less for any reason including a failure to comply with section 4731.281 of the Revised Code and this chapter of the Administrative Code.

(5) "License restoration" is the return of a license which has lapsed or been in a suspended or inactive status for more than two years for any reason.

(6) An "applicant" is one who seeks to attain a certificate of registration from the board.

(7) A "licensee" is a person who holds a current and valid license to practice medicine or surgery, osteopathic medicine and surgery, or podiatry in Ohio.

(8) A "registration period" is a period of two years in which every doctor of medicine, osteopathic doctor, and doctor of podiatric medicine licensed in Ohio must attain one hundred hours of continuing medical education to register their certificate as current and valid pursuant to section 4731.281 of the Revised Code and this chapter of the Administrative Code.

(B) Action by the board refusing "license restoration" as that phrase is used in this chapter shall be deemed refusal to "register" or "reinstatement" as such words are used in section 4731.22 of the Revised Code.

HISTORY: Eff. 5-16-83

CROSS REFERENCES

RC 4731.22, Grounds for refusal to grant and revocation of certificate, hearing and investigation, report

RC 4731.281, Continuing education requirements, biennial registration

4731-10-03 Continuing medical education requirements for registration or reinstatement of a license

(A) "License registration" is defined in paragraph (A)(3) of rule 4731-10-01 of the Administrative Code.

(B) "License reinstatement" is defined in paragraph (A)(4) of rule 4731-10-01 of the Administrative Code.

(C) All applicants who file for license registration or license reinstatement must meet the one-hundred-hour continuing medical education (hereinafter "CME") requirement less any reduction in hours allowed by the board under the provisions of rules 4731-10-09 and 4731-10-10 of the Administrative Code.

(D) If an individual has not completed the requisite hours of CME, he is not eligible for license registration or license reinstatement until such time as they have been completed. Any CME undertaken after the end of a registration period and utilized for purposes of registering or reinstating a suspended license cannot also be utilized to meet the CME requirement for the current registration period.

HISTORY: Eff. 5-16-83

CROSS REFERENCES

RC 4731.222, Reinstatement

RC 4731.281, Continuing education requirements, biennial registration